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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL MISC. APPLICATION NO.950 OF 2015
IN
ANTICIPATORY BAIL APPLICATION NO.1601 OF 2015

Mohamad Amaan Shaikh	..Applicant.
V/s.	
State of Maharashtra and Anr.	..Respondents.
Mr.Nilesh Tribhuvan for the applicant.	
Mr.Arfa Sait, APP for the respondent-State.	

CORAM : V.L.ACHLIYA, J.

(VACATION COURT)

DATED : 11TH NOVEMBER, 2015

P.C.:-

1. Heard learned counsel for the applicant and learned APP for the State. Perused the order dated 29th October, 2015 passed granting interim. It appears from the order that the applicant had given an undertaking to the Court to deposit the sum of Rs.21,60,000/-, the amount in respect of which a offence of cheating has been registered against the applicant. The impugned order has been passed on 29th October, 2015. Immediately, thereafter the present applicant has been filed seeking permission to travel abroad. Learned counsel for the applicant submits that while passing the order granting interim anticipatory bail, the Court imposed restrictions to leave the country without the permission of

the Court but also granted permission to apply for modification as well as permission to leave the country. It is contended that in case the applicant is not permitted to leave the county, he may not be able to arrange the amount to be deposited.

2. Having regard to the submission advanced and order passed, I am of the view that no such relaxation of condition and permission to travel abroad can be entertained without the undertaking to deposit an amount of Rs.21,60,000/- is complied with. It appears that the bonafides shown on the part of the applicant to deposit the amount was the one of the consideration to grant anticipatory bail to the applicant. The application is still pending.

3. Learned counsel for the applicant submits that the applicant is not in a position to immediately deposit the sum of Rs.21,60,000/-. I am, therefore, not inclined to entertain the request of the applicant. The applicant is granted liberty to apply afresh in case the applicant is willing to deposit the amount as a condition precedent.

4. The application is disposed of in above terms.

(V.L.ACHLIYA, J.)