

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1017 OF 2015
IN
ANTICIPATORY BAIL APPLICATION NO.550 OF 2015

Mr. Raskin Pinakin Engineer. ..Applicant.
Versus
State of Maharashtra. ... Respondent.

Mr. Manoj Mhambrey for the Applicant.
Mrs. M.H.Mhatre,APP. for Respondent-State.

CORAM: A.S. GADKARI, J.

DATE : 16TH DECEMBER, 2015

P.C.:

This is an application for seeking permission to leave India and to visit Russia for a period from 22.12.2015 to 10.1.2016.

2 Heard the learned counsel for the applicant and the learned counsel appearing for the original complainant and the learned APP. The applicant was directed to be released on pre-arrest bail by an order dated 11.8.2015 by this court in ABA No.550/2015. The applicant had preferred the said application apprehending his arrest in CR No.129/2015 registered with Kandivali Police Station for the offence punishable under Section-498A ,406, 420,504,506,290,323 read with 34 of the I.P.C. and section 3 and 4 of the Dowry Prohibition Act, 1961. While allowing the said application this court (Smt. S.S.Jadhav, J.) apart from other conditions had imposed a condition that the applicant shall not leave India without prior

permission of the court.

3) The applicant in the present application has annexed the Invitation Letter Exhibit B as well as itinerary issued by a company situated at VLADIVOSTOK (RU). The learned counsel for the complainant vehemently opposed the presentt application and as per his instructions the entire Russia is closed between 23.12.2015 to 2.1.2016. He also contended that a letter which is annexed at Page 13 has been procured by the applicant from the said company with a view to avoid his marital responsibilities. However, when this court made a query to him whether the applicant is having landed property in India, he, on instructions, submitted that the applicant is having about six properties in the City of Mumble and other parts of India. This takes care of the apprehension of the complainant that after going to Russia, the applicant may dodge the criminal prosecution and flee from the ends of justice.

4) After taking into consideration the above facts, I am inclined to allow the present application.

5) Hence, the following order.

ORDER

a) The applicant is permitted to leave India from 22.12.2015 till 9.1.2016 and to go the country Russia as per the itinerary annexed to the present application.

b) After his return to India on 9.1.2016 the applicant shall report

the said fact to the Investigating Officer in writing on or before 12.1.2016. .

c) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)