

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.18 OF 2016
IN
BAIL APPLICATION NO.992 OF 2013

Sooraj Aditya Pancholi ... Applicant

vs.

The State of Maharashtra ... Respondent

Mr. Prasanna Patil a/w. Mr. Mangesh Deshmukh, for Applicant.

Mrs. P.P. Shinde, APP for Respondent No. 1 – State.

Mr. H.S. Venegaonkar, for Respondent No. 2 – CBI.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 10th MARCH, 2016

P.C.:

. The application is moved for modification of the orders dated 1st July, 2013 and 30th October, 2015 passed by this Court. By this application, the applicant/accused prays that his original passport bearing No. Z2194632 issued on 6th December, 2010 by Indian Passport Authority at Mumbai which is valid upto 5th December, 2020 is to be returned to him and secondly he also prays that he may be permitted to travel abroad after seeking permission of the trial Court at Mumbai where his case is pending.

2. The learned counsel for the applicant/accused submits

that the charge-sheet is filed in this case and the passport is not a property in the case in which the applicant/accused is involved.

3. The learned prosecutor as well as the learned special prosecutor appearing on behalf of C.B.I. submit that C.B.I. has no objection to the second prayer. However, they have objection to the prayer of the applicant to return his passport. They submitted that the passport of the applicant/accused is kept in the custody of the trial Court and it was directed by the trial Court that as and when the applicant wants to travel abroad, he may apply to the trial Court.

4. In view of the submission made by the learned counsel for the applicant and the submission made by the learned special prosecutor of CBI, I am inclined to allow the application. The original passport of the applicant/accused be returned to the applicant on undertaking that he will produce it as and when it is required by the trial Court. A legible photocopy of the original passport is to be given to the trial Court. Accordingly, the application stands disposed of.

(MRS.MRIDULA BHATKAR, J.)