

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.110 OF 2016  
IN  
ANTICIPATORY BAIL APPLICATION NO.1825 OF 2015

Arthur Patrick Caseerly. ....Applicant.  
Vs.

The State of Maharashtra. ....Respondent.

Mr. Kanishk Jayant for the Applicant.  
Mrs.Rutuja Ambekar,APP. for the Respondent State.

**CORAM : A.S.GADKARI, J.**  
**DATE : 08TH FEBRUARY, 2016.**

PC:

This is an application for return of passport to the applicant for the purpose of renewal of Visa. By an order dated 17.12.2015 in Anticipatory Bail Application No.1825/2015 the applicant was directed to deposit his passport with the Investigating officer as an apprehension was expressed by the prosecution that the applicant may leave India and flee from the ends of justice. The

learned counsel for the applicant submitted that Visa of the applicant is coming to an end on 3.3.2016 and with a view to extend the said Visa and work permit the applicant has to undertake certain procedure which requires about three weeks time. He submitted that for the purpose of renewal of Visa, the applicant may be given his passport back.

2) The learned APP, on instructions, submitted that the apprehension of the prosecution still is that, if the passport is given to the applicant he will flee from the country. She further submitted that if the applicant informs the concerned Investigating Officer or the Investigating Agency in advance, a Constable will be deputed with the passport to the competent authority where the applicant will be able to make an application and complete the formality. After the applicant gets his renewed Visa the passport will be immediately taken into custody of the Investigating Agency. In view of the same, I am inclined to accept the request of the applicant.

Hence, the following order.

ORDER

- a) The applicant shall inform the Investigating Agency i.e. Sahar Police Station, Mumbai his date of appointment with the Visa Authority at-least 3 days in advance.
- b) The Investigating officer or the Sr. Inspector of Police, Shara Police Station shall depute a Constable along with the passport of the applicant to the competent authority for obtaining Visa.
- c) After Visa of the applicant is renewed or extended the passport of the applicant shall be taken into custody by the Investigating officer /Investigating Agency. It is needless to mention that the applicant shall keep informed the Investigating Agency about the progress of his application with the competent authority.
- d) Application is allowed in the aforesaid terms,.

**(A.S.GADKARI, J.)**