

Anand

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

CRIMINAL APPLICATION NO.281 OF 2016

Prantik Mukhopadhyay .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.Pranav Badheka a/w. Ms Reena Kapadia i/b.
M.M.Legal Associates, Advocate, for the Applicant
Ms R.M.Gadhvi, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 15.03.2016

P.C.

. By this Application, the Applicant seeks permission to travel abroad i.e. to U.A.E. From 19th to 24th March, 2016.

2. The Applicant was granted Anticipatory Bail in connection with C.R.No.II-26 of 2015 registered with the Turbhe M.I.D.C.Police Station, for the alleged offences punishable under Sections 3, 7, 8 & 10 of the Essential Commodities Act, 1995 r/w Maharashtra Solvent, Raffinate and Slop

(Licensing) Order, 2007. The learned District Judge-6 and Addl. Sessions Judge, Thane was pleased to grant anticipatory bail to the Applicant vide order dated 29.10.2015. The operative part of the order reads thus :-

" ORDER

- 1) Application is allowed.
- 2) Applicants be released on their executing P.R. & S.B. of Rs.20,000/- each with one solvent surety in the like amount in the event of arrest their arrest at the hands of Turbhe MIDC Police Station in connection with C.R.No.II-26/15.
- 3) Applicants shall attend concern police station on 31st October, 2nd November, 2015 between 9.00 a.m. to 12.00 noon and then shall attend concern police station on every 4th Monday of the month till further orders.
- 4) Applicants shall not leave India without prior permission of the court and shall report compliance of the order on fix remand date."

3. Learned counsel for the Applicant states, that as the Applicant intended to travel abroad, he filed an Application seeking permission to do so. He submitted that the learned Judge relying on the averments made in para 11 of that Application, rejected the Application of the Applicant to travel abroad. Learned counsel submits, that it was the Applicant who had mentioned the said fact, that he was unable to attend the Police Station on 31st October & 2nd November, 2015, in the Application. He states that non-attendance on the said two dates was not intentional, inasmuch, as the Advocate, who was present at the time of dictation of the order had not informed the said dates to the Applicant. He submits that on receipt of the order, however, the Applicant has been attending the concerned police station on every 4th Monday of the month, as directed by the Court vide order dated 29.10.2015.

4. Learned APP does not dispute the fact, that the Applicant has been attending the concerned police station on every 4th Monday of the month. She has tendered the report, which is taken on record.

5. Considering the peculiar facts of the case, the Application is allowed and the Applicant is permitted to travel abroad i.e. to U.A.E. from **19th to 24th March, 2016.**

6. The Application is disposed of accordingly.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)