

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.1339 OF 2016

Garima Murli Multani
Nee Garima Vicky Kalapi ... Petitioner
vs.
Sonia Krishnaraj Kalapi and Another ... Respondent

WITH
WRIT PETITION NO.1338 OF 2016

Garima Murli Multani
Nee Garima Vicky Kalapi ... Petitioner
vs.
Vicky Krishnaraj Kalapi @ Wesley and Others ... Respondents

Ms. Rubeena Gonsalves, Advocate for the Petitioner.
Mr. Vicky Krishnaraj Kalapi @ Wesley, Petitioner in person.

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 2nd APRIL, 2016

P.C.:

Not on board. Upon mentioning taken on board.

2. The learned counsel for the Petitioner prays that the condition imposed by the learned Additional Sessions Judge while passing interim orders in Anticipatory Bail Application Nos. 461 of

2014 and No. 374 of 2014 dated 2nd May, 2014 that the complainant shall not leave India with her daughter without permission of this Court is to be set aside/modified.

3. The Petitioner-wife has lodged criminal prosecution against the husband and her in-laws and therefore two anticipatory bail applications were filed by the husband, his parents and sister-in-law. While passing the interim order in those anticipatory bail applications, the learned Sessions Judge has put the restriction on the complainant that she should not leave India without permission of the Court. The Petitioner is the complainant who is restricted from going abroad by passing order in anticipatory bail applications filed by the applicants/accused. Therefore, it is proper for the Petitioner-wife to move the Sessions Court to seek relief in respect of modification of such condition. I am informed that both the anticipatory bail applications are still pending before the Sessions Court.

4. Therefore, the Petitioner-wife is directed to approach the learned Sessions Court for modification of the order which can be done as it is an interim order. The learned Sessions Judge has power

to withdraw or modify his/her order as it is an interim order passed in anticipatory bail application. The learned Sessions Judge to dispose of the application if made, within two weeks.

5. With this direction, both the Petitions are disposed of.

(MRS.MRIDULA BHATKAR, J.)