

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.426 OF 2016
IN
ANTICIPATORY BAIL APPLICATION NO.929 OF 2016

Kapil Puri .. Applicant
Versus
The State of Maharashtra & Anr. .. Respondents

Mr.Abad Ponda with Mrs.Jyoti Singh with Ms.Neha Naik i/b.
Phoenix Legal, Advocate for the applicant.

Mr.H.S.Venegaonkar, APP for the Respondent State.
Mr.S.V.Kinjawadekar, Investigating Officer is present in person.

CORAM : P.N. DESHMUKH, J.

DATED : 21st JUNE 2016

P.C. :

1 By this application, Kapil Puri involved in present investigating has sought permission to leave the jurisdiction of this Court from 21th June 2016 to 30th June 2016 as per the itinerary stated in paragraph 2(b) of the application contending that he is resident of Gurgaon, Hariyana and for the purpose of business, it is necessary for him to travel to his native place and other places as per the itinerary to complete the family and business obligations. The learned counsel for the applicant has contended that in the present case though the applicant is restrained from traveling outside the jurisdiction of this Court, no such stringent condition is imposed upon other co-accused and states that applicant on completing and attending his business assignment shall return back to Bombay on 30th June 2016.

2 The learned Additional Public Prosecutor while opposing the application had submitted that in the event applicant being allowed to travel as prayed, he be directed to deposit his passport with the Investigating Agency and be further directed to remain present on the date of hearing of his Anticipatory Bail Application.

3 So far as second condition about direction to applicant to attend the hearing of Anticipatory Bail Application is concerned, no such direction can be given in the present application. Said request can be considered on the date of hearing if required. So far as objection raised by respondent to direct applicant to deposit his passport is concerned, said submission appears to be reasonable as there is no reason requiring applicant to carry his passport to Gurgaon. The learned counsel for the applicant however states that once the passport is deposited with the Investigating Officer, it becomes difficult to obtain its custody back as and when required as applicant in that case would require to apply this Court.

4 In that view of the matter, application can be allowed as per order below :

- (i) Applicant shall be allowed to travel out of the jurisdiction of this court from 21st June 2016 to 30th June 2016 to visit Delhi on 21nd to 23rd June and 26th June to 27th June , to visit Bhubaneshwar on 24th to 25th June and to Hyderabad and Vizag on 28th to 29 June 2016 and shall return back to Mumbai on 30th June 2016.

- (ii) Applicant before leaving Mumbai shall deposit his passport with Investigating Officer and on his returning back to Mumbai shall inform of his arrival to Investigating Officer, who shall in turn return the passport to the applicant.

5 At this stage, The learned counsel for the applicant states that applicant shall remain present in Court at 3.00 p.m. and shall hand over his passport to Investigating Officer.

6 Kept back till 3.00 p.m.

Later on at 3.00 P.M.

7 Applicant in person is present and has handed over his passport bearing No.Z2026149 to the Investigating Officer in the Court and has acknowledged the receipt of the same.

(P.N. DESHMUKH, J)