

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

**CRIMINAL APPLICATION NO.740 OF 2016
IN
CRIMINAL APPEAL NO.433 OF 2012**

Bhalchandra Sitaram Sathe ..Applicant
V/s.
The Central Bureau of Investigation & Anr. .. Respondents

Mr.Vikas i/by Mr.S.G. Joshi for the applicant.
Ms.Rebecca Gonsalvez for Respondent No.1.
Mrs.Anmika Malhotra APP for Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 08th JULY 2016

P.C.

1. By the present application the applicant has prayed that CBI, EOW, Mumbai be directed to return the pass-port of the applicant and the applicant may be permitted to visit United Kingdom from 10-07-2016 to 10-11-2016.

2. The applicant is convicted under Sections 120B, 201, 420, 468, 471 and 471A of the Indian Penal Code by the learned Special Judge (CBI), Greater Mumbai in Special Case No.67 of 1998 and sentence to suffer simple imprisonment for

two years and to pay a fine of Rs. 500/- on each count.

3. The applicant has preferred Criminal Appeal No.433 of 2012 which is pending for final hearing. In the said appeal applicant had taken out Criminal Application No.686 of 2012 for suspension of sentences and for releasing him on bail. The applicant is released on bail by order dated 19-04-2012 and his sentence is suspended.

4. In the present application the applicant has stated that his son namely Ameya Bhalchandra Sathe is a permanent resident of United Kingdom and is residing at the address mentioned in the paragraph no. 7 of the application. He has stated that he intends to visit his son at the same address for a period of four months.

5. The learned Special P.P. tendered in this Court, a report dated 01-07-2016 submitted by the PI/CBI/EOW, Mumbai stating that the said investigating Agency had verified the address from the documents and have come to the

conclusion that Shri.Ameya, son of the applicant is residing at the address mentioned in the application.

6. In view of the facts mentioned in the application, I am inclined to allow the present application and permit the applicant to visit United Kingdom between 20th July 2016 to 20th November 2016. Hence the following order.

ORDER

(i) The respondent no.1 is hereby directed to return the pass-port of the applicant to him on or before 12th July 2016.

(ii) The applicant shall furnish the entire itinerary of his travel to the concerned Officer of CBI at the time of receiving his passport.

(iii) The applicant shall furnish cash security of Rs.20,000/- before the Trial Court before leaving India.

(iv) The applicant shall not visit any other country than United Kingdom in pursuance of the present order.

(v) The applicant before leaving India shall give photo copy of his tickets and shall also provide any other additional telephone number of United Kingdom of his son.

(vi) After his return to India the applicant shall report to the Investigating Agency i.e. respondent no.1 within period of four days thereafter and shall deposit his pass-port with the said agency.

(vii) After the applicant deposits his passport with the Respondent No.1 on his return to India the cash security of Rs.20,000/- be returned to him.

(viii) The application is allowed in the aforesaid terms.

7. All concerned to act on authenticated copy of this order.

(A.S. GADKARI, J.)