

*Ladda*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 548 OF 2016
IN
BAIL APPLICATION No. 2508 of 2014.

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr Vinay Bhanushali for the applicant.
Smt. J. S.Lohokare, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.
DATE :- 4th October, 2016

P.C.

1) This is an application for relaxation of condition no. 7 (ii) imposed upon the applicant while releasing him on bail by this Court by its order dated 12/12/2014 in BA No. 2508 of 2014. The said condition No. 7 (ii) reads as under:

The applicant shall deposit the Passport with the Economic Offences Wing after being enlarged on bail.

2) The learned counsel appearing for the applicant submitted that the applicant is a business man and it requires frequently to travel abroad. He submitted that in view of the said condition the applicant has to file an application every time before the concerned Magistrate thereby seeking permission to take custody of the said

passport and after his return, has to deposit the same with the Investigating Officer. He submitted that on three occasions the Trial Court has permitted him to travel abroad and the said passport was returned to him on certain conditions. He submitted that the applicant has complied with all the conditions till today. He therefore prayed that the aforesaid condition may be relaxed.

3) It is to be noted here that after taking into consideration the facts and circumstances of the CR No.117/2013, wherein the applicant is an accused, this Court while releasing him on bail, has imposed the said condition. It appears from the record that the said condition is imposed upon the applicant with a view to secure his presence at the time of trial and that the applicant should not flee from the ends of justice. It is the apprehension of the investigating agency that if the passport is permanently handed over to the applicant, he may abscond, flee from India and will not be available for trial.

4) In view of the above, I find that the condition No. 7 (ii) imposed upon the applicant by the said order dated 12/12/2014 is a proper condition and needs no modification in it.

The application is accordingly dismissed.

(A.S.GADKARI, J.)