

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1323 OF 2016

Bharat Lalji Jadhav and others	Applicants
versus	
The State of Maharashtra	Respondents

Mr.Mehul Rathod i/by M/s.Legal Vision for Applicants.
Mr.Vinod Chate, APP, for State.
Mr.A.R.Bhosale, PSI, Samta Nagar Police Station, present.

CORAM : PRAKASH D. NAIK, J.
(Diwali Vacation Court)

DATE : 3rd November 2016

PC :

1. This is an application seeking permission to travel abroad. The Applicants have preferred an application for anticipatory bail before the Sessions Court, Mumbai in connection with CR No.334 of 2016. Said application is pending and interim protection has been granted to the Applicants. The conditions imposed while granting interim protection are that the Applicant shall report concerned police station, that they shall not leave the jurisdiction of the Court without prior permission and that passport should be surrendered to concerned police station etc.

2. The Applicant submits that he has preferred an application before Sessions Court seeking modification of the order. It is submitted that he had requested the Court to post the matter for

hearing immediately. However, same could not be done and his application has now been posted on 7th November 2016. Learned counsel for Applicant, therefore, submits that this Court may consider his prayer for relaxation of conditions imposed by the Sessions Court. Alternatively, learned counsel for Applicant submitted that the date of hearing of the application for relaxation of conditions pending before the Sessions Court, may be preponed. The request was made considering the fact that Applicants are required to travel United States of America and in the event of grant of permission, certain formalities are required to be carried out. The Applicants intends to attend a ceremony of his daughter at USA which is fixed on 12th November 2016.

3. Taking into consideration aforesaid circumstances, it would be proper to direct the Sessions Court to hear the application for relaxation of conditions filed by Applicant, either on 4th November 2016 or on 5th November 2016. It is made clear that this Court has not expressed any view on the merits of the application pending before Sessions Court. The Sessions Court may deal with said application for relaxation of conditions in accordance with law and on its own merits.

4. With the above observations, the application stands disposed of.

(PRAKASH D. NAIK, J.)

MST