

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (MAIN) NO. 107 OF 2017

SHRI. KAUSHAL MADANLAL KHANNA., ... Applicant
Versus
STATE, THR. THE OFFICE-IN-CHARGE,
CALANGUTE POLICE STATION,
CALANGUTE AND ANR., ... Respondents

Mr. Ashwin D. Bhobe, Advocate for the applicant.
Mr. S. R. Rivankar, Public Prosecutor for the Respondents.

Coram:- C. V. BHADANG, J.

Date:- 12th June, 2017

P.C.

This is an application for partial modification/relaxation of conditions imposed vide para 51(3) of the Order dated 03.02.2017 passed by the learned Children's Court in Anticipatory Bail Application No. 4 of 2017.

2. The applicant who is having a hotel in Goa is a resident of Surat, Gujarat. By the para 51(3), the applicant/accused has been directed not to leave the State/country without prior permission of the Court. The applicant is only seeking partial modification so that he can be permitted to travel outside Goa, if necessary. In other words, the applicant is not seeking modification of the condition by which he has been directed not to leave the country.

3. The applicant had approached the learned Children's Court for permission to go out of the State which was rejected.

4. I have heard the learned Counsel for the applicant and the learned Public Prosecutor.

6. The learned Public Prosecutor states that the charge-sheet has been filed in this case before the learned Children's Court. Prima facie, the allegation against the applicant is that while the applicant was proceeding in his car, the victim was standing by the side of the road. It is said the applicant lowered the window-shield and shouted at the minor/child. There is no other allegation against the applicant.

7. Be that as it may, considering the overall circumstances, the condition by which the applicant has been directed not to leave the State of Goa is hereby relaxed. The condition about the applicant not to leave the country without permission of the Court shall continue to operate.

9. The application is disposed of in the aforesaid terms.

C. V. BHADANG, J.