

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.324 OF 2017
IN
CRIMINAL APPEAL NO.547 OF 2014**

Kanaiyalal L. Adnani)...Applicant

**V/s.
Union of India & Ors.)...Respondents**

Mr. P.A.Bhangale, Advocate for the Applicant.

Mr. S.K.Shinde with Sneha Sanap, Advocates for R.No.1-CBI.

Ms. A.A.Takalkar, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 21st MARCH, 2017.

P.C. :

This is an application by the applicant/original accused for permission to travel abroad to the United States of America.

2 By drawing my attention to the order dated 23.1.2017 passed in Criminal Application No.1553 of 2016, the learned advocate appearing for the applicant/original accused argued that tour itineraries and other details are provided by the

applicant/original accused and he wants to travel abroad.

3 The learned advocate for respondent nos.1 and 2 has no objection for grant of the instant application. The learned APP appears for respondent no.3-State.

4 The applicant-original accused is convicted of the offence punishable under Sections 419, 420, 467, 468 and 471 of IPC and he is sentenced accordingly. The appeal filed by him is pending before this Court and it is reported that the applicant-original accused has deposited an amount of Rs.20 Lakhs and has also furnished bank guarantee for further amount of Rs.20 Lakhs on 10.7.2013 while suspending the substantive sentence of imprisonment imposed on him. Daughter of the applicant/original accused stays at United States of America and the applicant/original accused wants to visit her.

5 Exhibit 'E' is tour itinerary submitted by the applicant/original accused which shows that the applicant/original accused is departing from India on 18.4.2017 and he would be returning by 1.6.2017 subject to availability of air-tickets. The applicant/original accused has given address of his

place of residence at New York apart from cell phone number and the telephone number at the said residential address at New York as well as cell phone number of his daughter.

6 As the application is not objected to by the prosecuting agency, there is no reason to reject the same particularly in the light of fact that the applicant/original accused has deposited an amount of Rs.20 Lakhs and has furnished bank guarantee for remaining amount of Rs.20 Lakhs in pursuant to the order of the learned trial Judge.

7 In this view of the matter, application is allowed. The applicant/original accused is permitted to travel to the United States of America for a period from 18.4.2017 to 1.6.2017. He should return to India on 1.6.2017. He should be available at the place of residence given by him in the tour itinerary at Exhibit 'E during his course of visit at New York.

8 With this order, the application stands disposed of.

(A. M. BADAR, J.)