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

**CRIMINAL WRIT PETITION NO. 2006 OF 2017
WITH
CRIMINAL WRIT PETITION NO. 2015 OF 2017**

Sumitra Banerji

...Petitioners
(orig. Accused No.1

Vs.

1. The Superintendent of Police
Central Bureau of Investigation ACB ...Respondent No.1

2. State of Maharashtra ...Respondent No.2

Mr. Samyak K. Gimekar, Advocate for the Petitioner in both the
Petitions

Mr. H.S. Venegaonkar, Advocate for Respondent No.1

Mr. S.R. Agarkar, APP for the State

**CORAM : M.S. KARNIK, J.
(VACATION COURT)
DATED :22ND MAY, 2017**

PC. :

1. Heard learned Counsel for the parties.
2. The Petitioner is challenging the common order dated 6th May 2017 passed below Exhibit-92 in CBI Special Case No.101 of 2012 and Exhibit-244 in CBI Special Case No.6/2012 thereby rejecting the applications preferred by the

Petitioner / original accused No.1 for travelling abroad to attend convocation ceremony of her daughter. The Petitioner sought permission to travel abroad i.e. Abu Dhabi from 21st May 2017 to 25th May, 2017. Before the trial Court a request was made by the Petitioner to allow her to travel only on one day i.e. 24th May 2017 so that the Petitioner may attend the convocation ceremony of her daughter.

3. Learned Counsel for the Petitioner restricts his prayer for traveling for a period from 22nd May, 2017 to 25th May, 2017.
4. It is not in dispute that previously on as many as six occasions the trial Court had granted permission to the Petitioner to travel abroad. There is no dispute that the Petitioner has returned as per the schedule submitted by her and abided by the travel itinerary.
5. In the interest of justice, therefore, I am inclined to allow this Petition and in view of the reason that the

Petitioner has to attend her daughter's convocation ceremony on 24th May, 2017.

6. The learned A.PP has objected the request made by the Petitioner. He, however submits that in the event this Court is inclined to allow the Petition stringent conditions may be imposed on the Petitioner. Hence the following order.

ORDER

1. The Petition is partly allowed. The common order passed below Exhibit-244 in CBI Spl. Case No.6/2012 and on Exhibit-92 in CBI Special Case No.101/2012 by the trial Court is set aside.

2. The Petitioner Smt. Sumitra Banerji is allowed to travel abroad i.e. Abu Dhabi for a period from 22nd May, 2017 to 25th May, 2017 on the following conditions:

- (a) The Petitioner shall not withdraw the cash security of Rs.1,50,000/- which is already deposited

before the trial Court.

(b) The Petitioner undertakes to deposit a further cash security of Rs.1,00,000/- before the trial Court on or before 23rd May 2017.

(c) The Petitioner is directed to furnish details of her travel itinerary and address about her stay abroad to the CBI. She shall give the authenticated details of two of her relatives with address proof and contact numbers along with her own to the CBI.

(d) She shall remain present before the trial Court on 29th May 2017.

(e) The Petitioner shall report to the CBI after her arrival to India from her journey.

(f) The Petitioner to file written undertaking to this Court that she shall abide by the conditions imposed

and she will not misuse the liberty granted by this Court.

(g) The father or father-in-law of the Petitioner shall submit the original passport to the CBI as and by way of security and the same may be returned on her arrival to India from Abu Dhabi.

1. Parties to act on the authenticated copy of this order.

(M.S. KARNIK, J.)