

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.925 OF 2017

IN

CRIMINAL APPEAL NO.216 OF 2015

with connected matters

Ravi Shrichand Punjabi ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

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Mr.Ar.Bubere i/b. Rajendra Rathod, Advocate for the Applicant.

Mr.S.R.Shinde, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 6th September 2017.

P.C. :

1 This is an application by appellant/accused with a prayer that he be granted permission to renew the passport by extending its validity for a period of ten years.

2 Heard the learned Advocate appearing for the applicant/accused. He submits that the applicant be permitted to renew his passport and then he will resubmit it before the learned Special Court.

3 The learned Additional Public Prosecutor opposed the

application on the ground that the passport is deposited on the order of the Honourable Apex Court and, therefore, the application is liable to be rejected.

4 I have considered the rival submissions and perused the Order dated 7th February 2017 passed by the Honourable Apex Court releasing the applicant/accused on bail.

5 The applicant/accused is convicted of offence punishable under Section 387 read with Section 120-B of the Indian Penal Code apart from offence punishable under Section 3(2) and 3(4) of the Maharashtra Control of Organized Crime Act (hereinafter referred to as “MCOC Act” for the sake of brevity) and he came to be sentenced separately to suffer maximum imprisonment for 10 years apart from direction to pay fine of Rs.5,00,000/- for the offences punishable under Section 3(2) and 3(4) of the MCOC Act. For the offence punishable under Section 387 read with Section 120-B of the IPC, he is sentenced to suffer rigorous imprisonment for five years apart for directing to pay fine of Rs.5,000/- and in default to undergo simple imprisonment of one year and, therefore, he approached the Honourable Apex Court for seeking bail. His prayer for grant of bail came to be allowed by the Honourable Apex Court with a direction that he should deposit the passport with the concerned Special Court.

6 By this application, the applicant is in fact seeking modification of Order of bail granted by the Honourable Apex Court. For that purpose, he ought to have approached the Honourable Apex Court.

7 In this view of the matter, the application is rejected.

(A.M.BADAR J.)