

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 938 OF 2017
IN
CRIMINAL APPEAL NO. 48 OF 2015**

1. Yogesh Suresh Patil,	
2. Suresh Trimbak Patil,	
3. Sulochana Suresh Patil	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr. S. S. Redekar for the Applicants

Mr. S. S. Hulke, A.P.P for the Respondent-State

HC Mr. R. S. Nikumbhe from Vasai Police Station, Palghar, is present

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 6th JULY, 2017

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant No.1-Yogesh Suresh Patil seeks relief in terms of prayer clause (a), which reads thus :

“(a) This Honourable Court may be pleased to relax condition No. iv which was imposed vide order dt.14.1.2015 passed in Cr. Application No. 21/15 in Cr. Appeal No. 48/15 and further be pleased to grant extension of one year from 10.07.2017, to the Applicant No.1, to stay in USA, for the period mentioned

hereinabove on such terms and conditions as it may deem fit and necessary.”

3. Learned Counsel for the applicants states that on two earlier occasions, this Court was pleased to relax the said condition and had permitted the applicant No.1-Yogesh Suresh Patil to stay in U.S.A for one year. He has relied on order dated 10th July, 2015 passed in Criminal Application No. 735 of 2015 (Coram : A. R. Joshi, J.) and order dated 12th July, 2016 passed in Criminal Application No. 683 of 2016 (Coram : Revati Mohite Dere, J.). He submits that the appeal is not likely to come up for hearing in immediate near future. Learned A.P.P does not dispute the fact that on two earlier occasions, similar prayer was allowed.

4. Perused the papers, including the orders dated 10th July, 2015 and 12th July, 2016. It appears that the applicant No.1-Yogesh Suresh Patil is still in U.S.A and is working with Wipro Technologies Ltd. It is pertinent to note, that no relief is sought as against applicant Nos. 2 and 3.

5. Considering the aforesaid, the application is allowed and the condition of attendance mentioned in condition No. iv of the order dated

14th January, 2015 passed in Criminal Application No. 21 of 2015 in Criminal Appeal No. 48 of 2015 is relaxed and extension of one year i.e. from 10th July, 2017 to 9th July, 2018, is granted to the applicant No.1-Yogesh Suresh Patil, to stay in U.S.A. If there is any change of address, telephone number/e-mail ID, the applicant No.1-Yogesh Suresh Patil, shall inform the concerned investigating agency about the same.

6. The application is accordingly disposed of on the aforesaid terms.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.