

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 774 OF 2017
IN
ANTICIPATORY BAIL APPLICATION NO. 27 OF 2017**

Nalin Jagdish Gupta	...Applicant
Versus	
The Assistant Commissioner of Police, & Ors.	...Respondents

Mr. Rizwan Merchant i/b Rizwan Merchant & Associates for the Applicant

Ms. J. S. Lohokare, A.P.P for the Respondents

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 24th AUGUST, 2017

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, applicant seeks permission to travel to Singapore from 1st September, 2017 to 31st December, 2017 for the medical treatment of his father.

3. Learned Counsel for the applicant submits that earlier the applicant was permitted to travel abroad, for the purpose of admission of

his daughter, by this Court (Coram : A. S. Gadkari, J.) vide order dated 5th May, 2017. He submits that the applicant was permitted to travel then to Canada between the period from 15th May, 2017 and 16th June, 2017 and that the applicant has abided by the conditions passed by this Court in the said order dated 5th May, 2017. Learned Counsel for the applicant submits that the applicant's father requires kidney transplantation. He submits that the applicant and his brother, both, are going to undergo tests, for deciding whether either of them could donate their kidney to their father. He submits that the process is likely to take some time and therefore seeks permission to travel abroad for a period of three months.

4. Learned A.P.P opposes the application. She submits that the main anticipatory bail application is pending and that the applicant be permitted to travel for a month instead of three months.

5. Perused the papers. The applicant is presently on interim pre-arrest bail. It appears that earlier the applicant had travelled to Canada as permitted by this Court vide order dated 5th May, 2017. It is not in dispute that the applicant has complied with the conditions imposed by this Court

in the said order. It appears from the documents annexed to the application, that the applicant's father is required to undergo renal transplantation and is undergoing medical treatment for the same. It also appears that the applicant and his brother are also required to undergo tests, as they intend to donate their kidneys.

6. Considering the aforesaid, the application is allowed on the following terms and conditions :

ORDER

- (i) The applicant is permitted to travel to Singapore from 1st September, 2017 to 1st November, 2017 (both days inclusive), for the purpose of medical treatment of his father.
- (ii) The applicant to submit his detailed itinerary, including the addresses where he intends to reside and the telephone numbers on which he can be contacted, to the Investigating Officer of the concerned Police Station, before his departure;
- (iii) The applicant to report to the Investigating Officer on 5th November, 2017, on his return to India from Singapore.

7. The applicant is at liberty to file a fresh application seeking extension of time for travelling abroad, if the need so arises.
8. Application is disposed of accordingly.
9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.