

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.515 OF 2017
IN
CRIMINAL WRIT PETITION NO.4835 OF 2014

Gerard de Nazelle ... Applicant
Vs.
The State of Maharashtra,
Through E.O.W., Unit III, Mumbai & Anr. ... Respondents

Mr. L.D. Zade for the Applicant.

Mr. K.V. Saste, A.P.P., for Respondent No.1-State.

Mr. Pranav Badheka, i/by Mr. P.B. Pawar, for Respondent No.2.

CORAM : RANJIT MORE &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 29TH NOVEMBER 2017.

P.C. :

1. Heard learned counsel for the respective parties.
2. This application is filed by the Applicant for leave to travel abroad for a period of two weeks from 19th December 2017 to 30th December 2017.

3. The learned counsel for the Applicant has placed on record the 'Schedule' of the Applicant's travel. The Applicant wants to travel to 'France' and 'England' to meet his father, who is unwell.

4. The learned counsel for Respondent No.2-Original Complainant submitted that, suitable order may be passed with appropriate conditions to ensure that the Applicant will return back to India.

5. It is seen that the Applicant was earlier allowed to travel abroad by this Court's order dated 27th July 2015 passed in Criminal Application No.311 of 2015. Thereafter, by order dated 7th July 2016 passed by this Court in Criminal Application No.271 of 2016, the Applicant was again allowed to travel abroad. Thereafter, again by order dated 7th July 2017 passed by this Court in Criminal Application No.279 of 2017, the Applicant was allowed to travel abroad.

6. In view of the above and in the light of the reasons stated in the application, we grant permission to the Applicant to travel

abroad for the period commencing from 19th December 2017 to 30th December 2017 on the following terms :-

- (i) The Applicant shall furnish 'Cash Surety' of Rs.2,00,000/- and one 'Local Surety' in the sum of Rs.15,000/- to the satisfaction of the Registrar (Judicial-I) of this Court.
- (ii) The Applicant shall furnish his complete address where he will reside and contact number on which he can be contacted when he is in France and England.
- (iii) The Applicant shall also report to the Investigating Officer after return to India.
- (iv) The 'Lookout Notice' issued against the Applicant shall remain stayed during the above period i.e. from 19th December 2017 to 30th December 2017.

7. Parties and Concerned Authorities to act on an authenticated copy of this order.

8. With the aforesaid directions, the application is disposed of.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]