

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1124 OF 2017

IN

ANTICIPATORY BAIL APPLICATION NO.18 OF 2017

Sanjay Pandurang Surve ... **Applicant**
V/s.

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

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Mr.Karl Rustom Khan i/b. Mr.Rahul Arote, Advocate for the Applicant.

Ms.Veera Shinde, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 7th DECEMBER 2017.

P.C. :

1 The learned Advocate for the applicant seeks permission to amend the instant application with a prayer for relaxation of condition No.2 of the Order dated 19th June 2017 passed in Anticipatory Bail Application No.18 of 2017, for a period of his stay at Dubai. Leave, as prayed, is granted. Amendment be effected forthwith.

2 Heard the learned Advocate appearing for the applicant/accused as well as the learned Additional Public

Prosecutor appearing for the respondent/State. The learned Additional Public Prosecutor submitted that the applicant should inform the Investigating Officer about the fact of his return from the foreign country immediately. With this condition, according to the learned Additional Public Prosecutor, the applicant may be granted permission as prayed.

3 This is an application for permission to the applicant to travel Dubai during the period in between 17/12/2017 and 04/01/2018. It is seen that daughter of the present applicant is married and stayed at Dubai and expected to deliver sometime in the last week of December 2017. That is why, the applicant is seeking permission to travel to Dubai during this period.

4 It is seen that the applicant is retired police officer and as such, I do not foresee any possibility of his evading the trial. Hence, the permission, as sought, can be granted by imposing necessary conditions on the applicant. Therefore, the Order :

- (i) The application is allowed.
- (ii) The applicant/accused is permitted to travel to Dubai for the period from 17/12/2017 to 04/01/2018.
- (iii) During this period, condition No.2 of the Order dated 19th June 2017 is relaxed.

- (iv) As a condition of this Order, the applicant should furnish his tour itinerary to the Investigating Officer of the crime in question.
- (v) He should also furnish his residential address of Dubai to the Investigating Officer apart from his cellphone numbers which will be used by him at Dubai.
- (vi) On return from Dubai, the applicant should inform the said fact to the Investigating Officer.
- (vii) The application is accordingly disposed of.

(A.M.BADAR J.)