

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 599 OF 2018

Dharmesh Doshi

... **Petitioner**

V/s.

The State (at the instance of
CBI EOW, Mumbai) and Anr.

... **Respondents**

Mr. Amit Desai, Senior Advocate a/w Gopal Shenoy and Mohan Rao i/b Sulabha Rane for the Petitioner.

Ms. Amita Kuttikrishnan for the Respondent No.1/CBI.

Mr. H.J. Dedhiya, APP for the Respondent/State.

CORAM : NITIN W. SAMBRE, J.

DATE : 15th MARCH, 2018

P.C.:

. The Trial Court before whom the prosecution against the Applicant, a British National is pending, has rejected the permission to travel to UK by the impugned Order.

2 Mr. Desai would invite the attention of this Court to earlier ten orders permitting the Petitioner to travel UK on certain conditions.

3 The learned Counsel for the CBI and learned APP opposed the claim on ground that apart from travel to UK, the Petitioner intends to travel to some other countries and there are chances of being getting absconded.

4 From the record it depicts that Petitioner is facing prosecution in Special

CBI Case No. 53 of 2003 for last about 12 years.

5 The learned Trial Court has permitted him to travel to UK subject to certain conditions that he shall furnish surety.

6 So far as the order of the rejection which is questioned in the present petition is concerned, the same is substantiated by observing that the Petitioner has not satisfied the surety as ordered. Apart from the above, the Court observed that no blanket permission can be granted.

7 It is also brought to my notice that an application for discharge is pending before this Court.

8 Considering the aforesaid aspects of the matter, it will be appropriate in my opinion to permit the Petitioner to travel to UK on same terms and conditions, in addition to, by furnishing surety of an amount of Rs.10,00,000/- within a period of three week from today. The application as such stands disposed of in the above terms.

9 Liberty to move a fresh in case, if modification is required for travel to the other countries.

10 In addition to Rs.8,00,000/- which is informed to have been already furnished as security, additional amount of Rs.2,00,000/- be furnished so that the security amount will be made up to Rs.10,00,000/-.

11 Liberty to the prosecution to seek modification in case, they intend to go for trial on day to day basis.

Rider of conditions of earlier order:

- i) The Applicant Dharmesh Doshi is allowed to travel out of India to UK for one year from the date of this Order.
- ii) The cash security amount deposited by the Applicant be continued till further orders.
- iii) Applicant is directed to furnish his itinerary including his contact number of fax and telephone while on tour in advance.
- iv) Applicant shall keep his duly instructed advocate present before the Court on given dates.

(NITIN W. SAMBRE, J.)