

Shri. Ramesh Taurani } **Applicant**
versus
The State of Maharashtra } **Respondent**

Ms. M. M. Deshmukh-APP for State.

DATED :- MARCH 16, 2018

1. This is an application seeking permission to travel abroad. The prayer is that from 10th March, 2018 to 30th April, 2018, on business commitments, the applicant desires to travel abroad. This matter was mentioned before us with a request that this matter is lower down on our board and may not reach today, but given the commitments already made by the applicant and having lost a week's time, at least now he be permitted to travel abroad till 30th April, 2018 as per his itinerary mentioned in para 37 of the application. On instructions, Mr. Ponda learned senior

counsel appearing for the applicant states that the applicant would provide complete details, including the places where he is required to be present for business, his residential address, his contact numbers, including the duration for which he would be abroad. He would also give local contact number so that in the event there is a problem of connectivity or the network breaking down, the applicant can be contacted through the local persons.

2. Though this request is not seriously opposed, the learned APP submits that such a request, as was made for permission to travel abroad without any duration being specified, was granted by this court, but administering a caution. That permission was availed of and yet, the order of this court was challenged before the Hon'ble Supreme Court. Our attention is invited to the order of the Hon'ble Supreme Court, copy of which is at page 148 of the paper book, to submit that the criminal appeal is ripe for hearing and it can be taken up any time and in terms of this courts directions. Hence, no such request, as is made presently, be granted.

3. On such a statement of the learned APP, Mr. Ponda, on instructions, states that this court may grant permission to travel abroad on a condition that in the event this appeal is taken up for hearing and final disposal, the applicant should return

immediately and the applicant would abide by such a condition. The statement may be recorded as an undertaking given to this court.

4. After hearing both sides, we find that in the past, the applicant has availed of the permission to travel abroad. On 27 occasions in the past and during the pendency of this appeal he traveled abroad with permission of this court. Now that the permission is for a restricted duration i.e. till the end of April, 2018 (30th April, 2018) and with the statement accepted as an undertaking given to this court, the details of the itinerary and other aspects being taken care of, this application is made absolute in terms of prayer clause (a).

5. The applicant shall, however, make himself available in the event the criminal appeal is taken up prior to the date of his return and if disposed of, he shall abide by all the consequences in law.

6. The Registry of this court shall return the passport of the applicant deposited with it on production of an authenticated copy of this order.

7. The criminal application is disposed of.

(PRAKASH.D.NAIK, J.) (S.C.DHARMADHIKARI, J.)