

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.222 OF 2017
IN
ANTICIPATORY BAIL APPLICATION NO.1161 OF 2013**

Shri Khozema Shujauddin Chitalwala ... Appellant

Vs.

The State of Maharashtra ... Respondent

Mr.Mihir Deepak Gheewala for the Appellant
Mr.Y.M. Nakhwa, APP, for Respondent / State
Mr.B.V. Parab, P.I., Economic Offences Wing, Mumbai – present

**CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: FEBRUARY 21, 2018**

P.C. :

1. This application is made for relaxation of condition No.(iv) of para 5 in the order dated 3.2.2014 passed by this Court in the Anticipatory Bail Application No.1161 of 2013. By the said condition, this Court has directed the applicant not to leave India without previous permission from this Court.
2. The learned Counsel for the applicant submits that since the date of the order till today, the applicant has travelled abroad nearly for 13 times and has returned and reported to the Court.

The applicant is an Interior Decorator and has business outside the country and, therefore, he is required to visit different countries. The learned Counsel submits that the applicant undertakes to remain present and attend all the Court dates.

3. The learned Prosecutor opposes the application and submits that charge is not framed. He submits that the police wants to file supplementary chargesheet under section 173(8) of the Code of Criminal Procedure within two months and, therefore, they oppose the relaxation in the bail condition.

4. The prosecution could not show any single instance against the applicant/accused that he left India without the permission of the Court. Thus, it appears that the applicant/accused has obeyed the order of this Court. The order is passed in 2014. He is facing charges of forgery and cheating alongwith the other accused in respect of the development of the cooperative society. In view of the submissions, condition No.(iv) in the operative order dated 3.2.2014 is relaxed. The applicant shall attend all the Court dates.

5. Application is disposed of accordingly.

c(MRIDULA BHATKAR, J.)