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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 332 OF 2018
IN
ANTICIPATORY BAIL APPLICATION No. 227 OF 2017

Abhimanyu Shivraj Bhosale	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Veerdhaval Kakade, for the Applicant.

Mr. S. R. Agarkar, APP for the Respondent – State.

CORAM : P. N. DESHMUKH, J.

DATE : APRIL 3, 2018

PC :-

1. Heard learned counsel for Applicant and the learned APP for Respondent State. This application is filed for grant of permission to travel abroad from Bombay to Singapore during the period from 1st April, 2018 to 6th April, 2018 to attend a Medical Conference / Trade Show which is scheduled to take place in Singapore, MEDLAB Asia and Asia Health 2018, at the Suntec Singapore Convention and Exhibit Centre. Applicant claims to be a Managing Director of Creliant Labs Pvt. Ltd. mainly engaged in development of software

products concerning management of medical laboratories and pathological laboratories, and to attend above Conference 29 countries are stated to be participating. The aim to attend said conference is to grow his business, and therefore, prays that Applicant be allowed to travel abroad, as aforesaid.

2. Learned APP has opposed the application on the ground that muddemal article i.e. hard disk is sent to Forensic Science Lab of which report is awaited and seeks direction of investigation on that count, and in the event Applicant is allowed to travel abroad, there is every possibility of his absconding and thus, contended that application be rejected.

3. Applicant's involvement in C. R. No. 316 of 2017 for the offences punishable under Section 420 and 406 of Indian Penal Code and Sections 43A, B and J read with Sections 66 and 66C of the Information and Technology Act, 2000 on the basis of complaint lodged by Abhay Dani, who was owner of Technovate Consultancy Services, a software company, is that Applicant herein in spite of entering into non-disclosure agreement with the complainant, as such, was not supposed to part with any information in respect of the

company, had circulated the secret information of the software data of the company to two other Directors. Accordingly, on the basis of aforesaid report, crime came to be registered. This Court while considering anticipatory bail application of Applicant, had found that though there is prima-facie involvement of Applicant with regard to violating terms of agreement, noting that offence, apart from Indian Penal Code, is also under the provisions of Information and Technology Act, 2000 and since Forensic Science Laboratories report will be received, as stated by prosecution, after a period of 4 months and even considering that there appears an arbitration clause in the agreement held Applicant entitled for grant of anticipatory bail by imposing condition not to leave India without prior permission of the Court amongst other conditions.

4. Considering the facts as aforesaid and the grounds putforth by learned APP, undisputedly since Applicant is intending to visit Singapore for the business purpose, which admittedly Applicant is carrying out, application is liable to be allowed by imposing conditions, as under:

(a) Application is allowed;

- (b) Applicant shall deposit amount of Rs. 30,000/- towards security deposit with Registry of this Court immediately and in any case before availing benefit of this order;
- (c) Applicant is allowed to travel to Singapore from 3rd April to 6th April, 2018.
- (d) Applicant before proceeding on his tour shall submit his itinerary to Investigating Officer in C. R. No. 316 of 2016 registered with Chaturshrungi Police Station, Pune, stating places where he shall be available during his tour abroad till 6th April, 2018.
- (e) Applicant shall also state his residential address where he shall be staying during his visit to Singapore till 6th April, 2018.
- (f) Applicant shall report his presence to Investigating Officer immediately on his returning back from Singapore;
- (g) Application is disposed of in the aforesaid terms.

Sd/-
[P. N. DESHMUKH, J.]