

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.577 OF 2018
IN
CRIMINAL APPEAL NO.639 OF 2007

Tarik Abdul Karim Parveen @ Tariq Parveen ..Applicant.

v.

The State of Maharashtra ..Respondents.

Mr.B.B. Tiwari alongwith MR.Sameer Chaudhary I/by BBT Legal for the applicant.

Mr.J.P. Yagnik, APP for the respondent.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 17th APRIL, 2018

P.C.

. Not on board taken on board.

1 As the Division Bench presided over by Hon'ble Shri Justice S.C. Dharmadhikari is unable to hear this application, as per the general standing order passed by the Hon'ble the Chief Justice, this application will have to be heard by this Bench.

2 The annexures to the application show that on more than one occasion, similar relief was granted to the applicant. Learned Counsel appearing for the applicant states that a sum of Rs.1,00,000/- which was deposited by the applicant in the Sessions Court at Mumbai vide order dated 30th January 2014 in Criminal Application No. 82 of 2014 is lying in the Sessions Court and is not withdrawn by the

applicant. We accept the said statement. It is not the case made out by the respondent that similar facility granted earlier was misused by the applicant. Hence, we dispose of the application by passing following order :

ORDER

1] The applicant is granted permission to travel to UAE, China, Saudi Arabia and Bangkok for a period of 3(three) months from 20th April 2018 to 20th July 2018(both days inclusive), subject to condition that the amount of Rs.1,00,000/- lying deposited by way of security with the Sessions Court will be treated as security for the purpose of this order and subject to the condition of the applicant filing an undertaking to this Court that he will return to India on or before 20th July 2018 and immediately thereafter will surrender his passport. The undertaking to further state the travel schedule in writing will be submitted to the Officer in charge of MRA Marg Police Station before leaving India and that he shall disclose his addresses of places of residence while travelling abroad and contact telephone numbers;

2] On filing of a copy of the undertaking as aforesaid in the Sessions Court at Mumbai, the passport of the applicant be returned to him;

3] We make it clear that if there is a delay of even a single day in returning to India, the amount of Rs.1,00,000/- shall stand forfeited;

4] We make it clear that if in the orders of any courts before which the cases against the applicant are pending, there is restraint order on travelling abroad, the applicant shall obtain necessary permission from the concerned Court before leaving India;

5] All the concerned to act upon an authenticated copy of this order.

6] The application stands disposed of on above terms.

(RIYAZ .I.CHAGLA, J)

(A.S. OKA, J)