

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.701 OF 2018

IN

CRIMINAL APPLICATION NO.1277 OF 2017

Jayant N. Parekh

Applicant

versus

The Securities and Exchange Board of India
and another

Respondents

Mr.Prakash Shinde with Niyati Merchant i/by AKR Advisors LLP for applicant.

Ms.Anubha Rastogi for SEBI.

Mr.Deepak Hinget, Officer of SEBI, present.

Mr.PH.Gaikwad, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 15th June 2018

PC :

1. This is an application seeking permission to travel abroad at Germany for a period of five days between period 19th June 2018 and 23rd June 2018 (both days inclusive). The applicant is prosecuted before the Court of Special Judge, SEBI Court for contravening the provisions of SEBI Act. Learned advocate for applicant submits that the Trial Court did not entertain the application since the proceedings before the Trial Court are under challenge before this Court and by way of interim relief the said proceedings are stayed by this Court.

2. It is submitted that the applicant is required to travel to Germany for attending a conference and exhibition which would be

held on 19th and 20th June 2018 at Messe Munchen, 81823, Munich, Germany.

3. It is submitted that on the earlier occasions the Special Court had permitted the applicant to travel abroad i.e. Dubai between 22nd December 2017 and 26th December 2017 vide order dated 19th December 2017 and also at Auckland between 18th January 2018 and 3rd February 2018 vide order dated 12th January 2018. Pursuant to the said orders, the applicant has travelled abroad and has returned back to India.

4. Learned counsel for respondent submits that in view of earlier orders referred to above and in accordance with the terms and conditions imposed while granting such permissions, on the same terms, permission can be granted in this application.

5. Accordingly following order is passed :

ORDER

(i) The applicant Jayant Parekh is permitted to travel at Germany between the period 19th June 2018 and 23rd June 2018 (both days inclusive);

(ii) The applicant shall deposit cash security deposit of Rs.30,000/- in Trial Court. In case earlier deposits towards earlier visits are not withdrawn by him, the same shall be adjusted in respect to this condition;

(iii) The applicant shall furnish to SEBI itinerary, such as, dates of travel, place with correct address where he would be residing and the contact numbers during the period of his stay as such and

immediately. He should undertake to apply this Court, if he requires to visit any other country from Germany;

(iv) The applicant shall furnish the details i.e. address, phone numbers, mobile numbers, e-mail Ids to SEBI and Court, about the person to whom the SEBI should approach in his absence.

6. It is made clear that if applicant commits breach of any of the conditions, he will not be entitled to any such permission in future.

7. Criminal Application No.701 of 2018 is disposed off.

(PRAKASH D. NAIK, J.)

MST