

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 1139 OF 2018
IN
ANTICIPATORY BAIL APPLICATION NO. 1977 OF 2016**

Sudhir GudalApplicant

V/s.

The State of MaharashtraRespondent

Mr. Satyanarayan i/b. India Law for the applicant.

Mr. S.S. Pednekar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 05th OCTOBER, 2018.

P.C.:

. By this application, the applicant has sought permission to travel to Nepal from 06/10/2018 to 09/10/2018, to Dubai from 10/10/2018 to 12/10/2018, to Africa from 15/10/2018 to 27/10/2018 (Kenya, Tanzania, Uganda and Zambia) and thereafter to Maldives from 17/11/2018 to 20/11/2018.

2. Heard Mr. Satyanarayan, learned counsel for the applicant and Mr. S.S. Pednekar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned

counsels for the respective parties.

3. The records reveal that C.R.No.71/2016 has been registered against the applicant at Economic Offence Wing (EOW), Unit IX, Mumbai for offences punishable under sections 406, 420 r/w. 120(b) of the Indian Penal Code. The records reveal that during the pendency of the application under section 438 of the Criminal Procedure Code, the learned Sessions Judge had granted interim protection to the applicant. The applicant was directed not to leave Mumbai and was further directed to surrender his passport with the Investigation Officer. Even after dismissal of the application by the learned Sessions Judge, the said interim order has been continued by this Court from time to time.

4. The applicant has stated that he wants to travel abroad on business trip. He has therefore sought permission to travel abroad with further direction to the Investigation Officer to handover his passport so as to enable him to travel abroad. The records reveal that this Court by order dated 25/04/2018 passed in Criminal Application No.452 of 2018 had granted permission to the applicant to travel to Kathmandu, Nepal from 06/05/2018 to 11/05/2018 and thereafter to

USA from 15/06/2018 to 30/06/2018. The applicant had accordingly travelled as per the itinerary and had returned without violating the terms and conditions imposed by the Court.

5. Considering the above facts and circumstances, in my considered view, the applicant is entitled to travel abroad. Hence, the following order :-

(i) Criminal Application No.1139 of 2018 is allowed.

(ii) The applicant is allowed to travel to Nepal from 06/10/2018 to 09/10/2018 thereafter to Dubai from 10/10/2018 to 12/10/2018 thereafter to Africa from 15/10/2018 to 27/10/2018 (Kenya, Tanzania, Uganda and Zambia) and thereafter to Maldives from 17/11/2018 to 20/11/2018 respectively.

(iii) The applicant shall furnish his itinerary, giving details of travel including the address and telephone numbers, where he intends to reside, to the concerned Authority, before leaving the Country.

(iv) The applicant to deposit Rs.1,00,000/- as security before the Registry of this Court.

(v) Upon deposit of the amount of Rs.1,00,000/-, the Investigation Officer of EOW, Unit IX, Mumbai to forthwith hand over the passport to the applicant so as to enable him to travel abroad.

(vi) The applicant shall report to the Investigation Officer after his return to the India.

(vii) In the event, the applicant violates any of the conditions imposed by this Court, the amount deposited as security shall stand forfeited.

(viii) All concerned to act on an authenticated copy of this Order.

(SMT. ANUJA PRABHUDESSAI, J.)