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

CRIMINAL APPLICATION NO.511 OF 2018
IN
CRIMINAL WRIT PETITION NO.2014 OF 2016

Mr. Nazir Mussa ..Applicant

Versus

The State of Maharashtra and another ..Respondents

WITH

CRIMINAL APPLICATION NO.512 OF 2018
IN
CRIMINAL WRIT PETITION NO.2013 OF 2018

Mr. Nazir Mussa ..Applicant

Versus

The State of Maharashtra and another ..Respondents

Mr. Shoaib Memon a/w Mr. Sajid Mohamed, Ms. Dipika Batheja, Mr. Ramsing Rajput and Mala P. R. I/by AGRUD Partners, Advocate for the Applicant in both Applications.

Mr. Vibhav Krishna I/by Juris Consillis, Advocate for the Intervenor in both Applications.

**CORAM: B. R. GAVAI &
RIYAZ I. CHAGLA, JJ.**

DATE: 22nd NOVEMBER, 2018

P.C.:-

1] By way of present applications, Applicant has prayed for extending the time granted to him by this Court by order dated 5/9/2018 to travel back to India.

2] Perusal of the order passed by this Court in Criminal Application No. 303 of 2018 dated 5th September, 2018 would reveal that, after considering the past conduct of the present Applicant, this Court has granted him permission to travel abroad in United Kingdom and Africa till 30th November, 2018.

3] Applications are opposed by Mr. Krishna, learned Counsel appearing on behalf of the Intervenor. He submitted that, by order passed by this Court dated 14/6/2018, this Court has directed investigation to be completed by the end of February, 2019. He submitted that since the Applicant is consistently traveling abroad,

investigation in the matter cannot be done.

4] Applications are pressed into service on the ground that when the Applicant has travelled to United Kingdom, he developed certain medical problems and is required to undertake treatment in United Kingdom. The medical certificates in support of the said contention are also placed on record.

5] Perusal of the order dated 14/6/2018 would reveal that the Applicant was to return to India on 10/8/2018. Vide order dated 5/9/2018, this Court has further directed him to report to Investigating Officer on alternate days from 6/9/2018 between 3 pm to 6 pm till 17/9/2018. It is nobody's case that these directions have been flouted by the Applicant. As such, the Applicant was verymuch available for the purpose of investigation.

6] In that view of the matter, we do not find any substance in the contentions raised on behalf of the Intervenor.

7] Taking into consideration the medical exigencies, we are inclined to allow the applications. The period which is fixed by order dated 5/9/2018 is extended till 31/1/2019. Applicant shall return to India on or before 1/2/2019 and report to the Investigating Officer.

8] Applications are accordingly disposed of.

(RIYAZ I. CHAGLA J.)

(B. R. GAVAI, J.)