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

***CRIMINAL APPLICATION NO.1137 OF 2017
IN
ANTICIPATORY BAIL APPLICATION NO.359 OF 2016***

Saloni Saket Shah	...Applicant
Versus	
State of Maharashtra	...Respondent

Ms.Rushita Jain i/b Mr.S.S.Karmarkar, for the Applicant.

Ms.A.A.Takalkar, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 20th MARCH, 2018

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks modification of the condition imposed by this Court (Coram:A.S.Gadkari,J.) vide order dated 14th September, 2016, passed in Anticipatory Bail Application No.359 of 2016.
3. Learned Counsel for the applicant submits that during the

pendency of the Anticipatory Bail Application as well as subsequent thereto, the applicant has travelled abroad on 2 occasions and that the applicant has not misused or abused the liberty granted to her. She submitted that the applicant's passport be returned back to the applicant. She further submits that the applicant is ready to seek permission of the trial Court, whenever she intends to travel abroad.

4. Learned APP has filed affidavit of Ravindra Atmaram Salunkhe, Police Inspector attached to Amboli Police Station, Mumbai and has opposed the application.

5. Perused the papers. It appears that the applicant is required to travel abroad frequently. It appears that this Court, vide order dated 14th September, 2016, pending the final disposal of the Anticipatory Bail Application, was pleased to direct the applicant to deposit her passport with the Investigating Officer. Subsequently, the Anticipatory Bail Application preferred by the applicant was rejected. Subsequently, the learned Magistrate was pleased to enlarge the applicant on Regular Bail on the date when the charge-sheet was filed. The applicant during the

pendency of her anticipatory bail application has travelled abroad once and even thereafter, has travelled again and has not misused or abused her liberty. The statement of the learned counsel for the applicant, on the instructions of the applicant, that she will seek permission of the trial Court, before travelling abroad, is accepted.

6. Considering the aforesaid, the Application is allowed and is disposed of on the following terms & conditions :-

ORDER

- (i) The Investigating Officer to return the passport of the applicant forthwith;
- (ii) The applicant shall seek the permission of the trial Court, before travelling abroad. If such an application is filed, the trial Court shall decide the same on its own merits, in accordance with law.

7. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)