

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 747 OF 2017**

Raman Vijay Handa	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Ninad Muzumdar for the Applicant

Mr. Vinod Chate, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
THURSDAY, 18th JANUARY, 2018

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant has impugned the order dated 7th October, 2017 passed by the learned Additional Chief Metropolitan Magistrate, 37th Court, Esplanade, Mumbai, only to the extent that it imposed the condition on the applicant not to leave the country, without prior permission of the Court.

3 Learned counsel for the applicant submitted that no such condition was imposed by the learned Additional Chief Metropolitan

Magistrate, 37th Court, Esplanade, Mumbai, when the applicant was enlarged on bail on 29th April, 2011. He submitted that the applicant is required to travel frequently abroad. Hence, the said condition is causing him hardship.

4 Learned A.P.P opposed the application.

5 Perused the papers. By this application, the applicant is seeking modification of the condition No. (3) imposed by the learned Additional Chief Metropolitan Magistrate, which reads thus :

“3. The applicant/accused shall not leave this country without prior permission of this Court.”

6 Admittedly, no such condition was imposed on the applicant when he was enlarged on bail by the learned Magistrate vide order dated 29th April, 2011. Whilst enlarging the applicant on bail, the learned Magistrate had only directed the accused to attend the Cyber Police Station as and when called even on telephone. It appears that the applicant is required to frequently travel abroad in connection with his work. The

applicant is, however, ready to inform/intimate the Investigating Officer of the details of travel before leaving India and on his return to India.

7 In view of the same, aforesaid condition i.e. clause (3) of the order dated 7th May, 2017 passed by the learned Additional Chief Metropolitan Magistrate, 37th Court, Esplanade, Mumbai, is quashed and set-aside.

8 The applicant shall furnish his itinerary to the Officer of the concerned Police Station before leaving country and shall also inform the Officer on his return.

9 Application is disposed of on the aforesaid terms.

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

REVATI MOHITE DERE, J.