

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

CRIMINAL APPLICATION NO. 89 OF 2019

Ankur Khemraj Todi

... Applicant

Vs.

The State of Maharashtra

... Respondent

...

Mr. H.H.Nagi a/w Mr. Chanta Solanki I/by Mr. Rekha Jaiswal for
Nagi & Associates for the applicant.

Mrs. G.P. Mulekar, APP for the Respondent-State.

...

CORAM : PRAKASH D. NAIK, J.

DATE : 15th FEBRUARY, 2019.

P.C.

1. This is an application seeking permission to travel abroad. Applicant intends to travel abroad during the period from 17th February, 2019 to 22nd February, 2019 at Doha - Geneva – Frankfurt- Milano - India.
2. Applicant had preferred an application for anticipatory bail before the Sessions Court which was allowed vide order dated 26th February, 2017 with a condition that the applicant shall not leave India without prior permission of the Court.
3. Applicant is prosecuted for the offence punishable under Section 498-A and 406 read with 34 of Indian Penal Code.

Applicant is the brother in law of the complainant. Applicant had preferred an application for travelling abroad which was allowed by order dated 1st October, 2018 and the applicant was permitted to travel to Spain for a period of six days. He had already booked his tickets for his business purpose and to attend some seminars. It is submitted that applicant had preferred an application seeking such relief before the trial Court on 5th February, 2019. Application was made returnable on 13th February, 2019. On the said date, the regular Court had remained vacant. Charge was given to another court, therefore applicant moved an application before the other Court. However, incharge Court has not entertained the application as the regular Court would be available on 18th February, 2019. It is submitted that applicant is required to travel on 17th February, 2019. He has already booked his ticket to attend the seminar. Hence, the applicant had preferred application before this Court. Learned APP submitted that applicant ought to have preferred an application well in advance. However, it is noted that applicant had indeed preferred an application on 5th February, 2019. Applicant was earlier permitted to travel abroad. Considering the fact that applicant was granted such permission in the past by the Sessions Court, there is no

impediment in granting such permission. Hence, I pass the following order.

ORDER

- i. Applicant is permitted to travel Doha - Geneva – Frankfurt-Milano - India for business purpose from 17th February, 2019 to 22nd February, 2019;
- ii. Accused shall submit his itinerary to concerned police station prior to his departure;
- iii. Accused shall report concerned Police Station on his arrival and shall leave his contact numbers with the concerned police station;
- iv. Accused shall attend each date of hearing after his arrival.
- v. Application stands disposed off.

(PRAKASH D. NAIK, J.)