

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

CRIMINAL APPLICATION NO. 147 OF 2018

Susheel Kumar Ramchandra Puri	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

**WITH
CRIMINAL APPLICATION NO. 538 OF 2018
IN
CRIMINAL APPLICATION NO. 147 OF 2018**

Niyati V. Shah	...	Intervenor
<u>In the matter between :-</u>		
Rachna Puri	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.Bhavesh Parmar i/b. Devmani Shukla for Applicant.
Ms.Rutuja Ambekar, A.P.P. for Respondent-State.
Mr.Bhavesh Parmar i/b. Mr.Devmani Shukla for Intervenor.

CORAM : A.S. GADKARI, J.

DATE : 26th April 2019.

P.C. :

1] This is an application for modification of condition No.5 imposed upon the applicant by the Addl. Chief Metropolitan Magistrate,

37th Court, Esplanade, Mumbai, by an order dated 08/08/2017 while releasing him on bail. The said condition reads as under :-

“5. Accused shall not leave India without prior permission of this Court and deposit their passport if any, to the Investigating Officer.”

2] The applicant is an accused in an economic crime investigated by the Specialized Agency. After taking into consideration the attending circumstances of the case, the trial Court has imposed the said condition.

3] *Prima-facie*, it appears that, the applicant has willfully accepted the said condition before coming out of the jail. If the applicant was aggrieved by the said condition, while in jail ought to have challenged the said condition before this Court. According to this Court, it is a sheer afterthought to challenge the condition imposed upon the applicant belatedly at this stage.

4] In view thereof, I find no reason to modify the said condition.

Application is, accordingly, rejected.

5] In view of disposal of the Criminal Application No. 147 of 2018, the Criminal Application No.538 of 2018 for intervention does not survive and is, accordingly, disposed off.

[A.S. GADKARI, J.]