

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 873 OF 2019
IN
CRIMINAL APPAL NO. 341 OF 2007

Arun Digamber Kulkarni ... Applicant/Appellant
V/s
The State of Maharashtra ... Respondent

Madan Gupta for the Applicant/Appellant.
A. S. Patil, APP for the Respondent-State.

CORAM : DAMA SESHADRI NAIDU, J.
DATED : 19th July 2019

P.C.:

The applicant applied to the Court for permission to travel abroad: to Cyprus between 20th August to 18th November 2019.

2. Heard Shri Gupta, the learned counsel for the Applicant. He has drawn my attention to several orders this Court passed earlier, permitting the applicant to travel abroad. On all those occasions, the applicant returned to India, as promised.

3. Shri Gupta, in this context, has submitted that under this Court's order, dated 9th January 2018 in Criminal Application No.1743 of 2017, the applicant deposited documents of title and share certificates with the Court's Registry. And the applicant has so far not taken them back.

4. The learned Additional Public Prosecutor opposed the

application. He wants to verify whether the title deeds and share certificates are still with the Registry.

5. As the record reveals, the applicant was convicted for an offence under Section 7, as well as Section 13(2), of the Prevention of Corruption Act, 1988. He was then a public servant. His appeal is still pending before this Court. And on all the previous occasions, the applicant came back to India, as undertaken. The applicant's counsel assures the Court that he will get on the matter, if listed; even in the applicant's absence.

6. Under these circumstances, I order:

ORDER

The applicant is permitted to go abroad: to visit Cyprus between 20th August 2019 and 18th November 2019, on these conditions:

- (a) The applicant shall arrange for having his appeal conducted by his counsel even in his absence.
- (b) The applicant shall inform the prosecuting agency, that is A.C.B., Mumbai, about his travel details: the flight he proposes to take, the addresses of the places where he proposed to stay, his contact numbers, as well as his email address, and so on.

- (c) The applicant shall not withdraw the documents he has deposited with this Court until he returns to India.
 - (d) Parties to act on the authenticated copy of this Order.
- The application is accordingly disposed of.

(DAMA SESHADRI NAIDU, J.)