

Anand

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

**CRIMINAL APPLICATION NO. 1038 OF 2019
IN
ANTICIPATORY BAIL APPLICATION NO. 1161 OF 2013**

Anil Harishchandra Bhargava .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Ishan S. Jani, Advocate, for the Applicant
Mr. A. A. Palkar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 26.07.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks permission to travel abroad i. e. to USA from 05.09.2019 to 29.02.2020. Learned counsel for the Applicant submits that on five earlier occasions, the Applicant has travelled abroad and has returned to India, as directed by this Court. He submits that now, the Applicant intends to travel to USA, as his daughter is pregnant and expecting a child in September, 2019. He further submits that the Applicant's daughter wants the Applicant and his wife to stay with her during her pregnancy, for the delivery of child

and post delivery, since it is her first pregnancy. Learned counsel further submits that the case is now being investigated by the E. O. W.

3. Learned APP does not dispute the fact, that the Applicant has earlier travelled on five occasions and has returned to India, as directed.

4. Perused the papers. The Applicant was granted bail by this Court in connection with C. R. No. 23 of 2011 registered with the Kherwadi Police Station, Bandra(E), Mumbai (now transferred to E. O. W. and re-numbered as C. R. No. 101 of 2014). It is not in dispute that the E. O. W. is still investigating the case. It is not in dispute that the Applicant has earlier travelled abroad on five occasions and has returned to India, as directed. The Applicant is a permanent resident of Mumbai. Learned counsel for the Applicant on instructions of the Applicant assures this Court that the Applicant will return to India forthwith, in the event, the trial commences and that he will not impede the trial, by his absence. Statement accepted.

5. Accordingly, the Application is allowed on the following terms & conditions :-

O R D E R

- (i) The Applicant is permitted to travel to USA from 05.09.2019 to 29.02.2020;
- (ii) The Applicant shall furnish his itinerary to the E.O.W. i. e. the travel details and the place where he intends to reside and his contact numbers during the said period, before he leaves the country;
- (iii) The Applicant to inform the E. O.W. on his return to India;
- (iv) The Applicant shall also file an Affidavit in this Court within two weeks from today, stating therein, that in the event, the trial commences, he will return to India and he will not in any way impede the progress of the trial.

6. Accordingly, the Application is disposed of.

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

(REVATI MOHITE DERE, J.)