

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 2060 OF 2018
IN
CRIMINAL APPEAL NO. 1530 OF 2018

Janzeb Amir Kamal Khan @ Guddu Pathan. ..Applicant.

V/s.

The State of Maharashtra & anr. ..Respondents.

Mr. B.B. Tiwari I/b. BBT Legal, advocate for applicant.

Mr. Y.M. Nakhwa, APP for State.

Mr. Dashrath A. Dube, advocate for respondent No. 2.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : JANUARY 14, 2019.

P. C. :

1 Heard the learned Counsel for the applicant, learned Counsel for the respondent No. 2 and the learned APP for State.

2 This is an application seeking liberty to approach the passport authority of India for renewal of the passport since the applicant desires to travel abroad i.e. to United Arab Emirate and Oman for a period of 4 weeks from 31/1/2019 to 28/2/2019 in order to see off his daughter, who is recently married. It is submitted that the matrimonial house of the daughter of the appellant is in Dubai and therefore, it is necessary for him to see off his daughter as per the rituals.

3 The applicant has been sentenced to a short term sentence

Talwalkar

and he has been enlarged under section 389 of the Code of Criminal Procedure, 1973. Taking into consideration the facts of the case and that on earlier occasion also, the applicant had travelled abroad by virtue of the order dated 21st August, 2015 passed by this Court (Coram : Abhay M. Thipsay, J), the application deserves to be allowed on the following conditions :

(a) The applicant shall furnish additional security in the sum of Rs. 50,000/- for his appearance before this court by furnishing a surety in the said amount and/or cash deposit of the said amount by executing an appropriate bond.

(b) The applicant shall submit his itinerary before the investigating agency. The applicant shall also give the details of his travel and residence in the UAE and Oman.

(c) The applicant shall give a copy of the ticket as well as the copy of the passport to the investigating agency. The applicant shall give his telephone numbers and cell phone numbers for the purpose of communication.

(d) The applicant shall furnish a copy of all the above document to his Court also before travelling. The applicant shall mark his presence before the Sessions Court at Sewree on 2nd March, 2019.

(e) The Passport Authority shall consider the application for renewal of the passport in accordance with law.

(f) The learned Counsel submits that the amount of Rs. 25,000/- is deposited in this Court as a condition precedent for his last visit and that is not withdrawn. In view of this, the applicant has to deposit an

Talwalkar

additional amount of Rs. 25,000/- only.

4 The application is allowed and disposed of accordingly.

[SMT. SADHANA S. JADHAV, J.]