

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.78 OF 2021

Aakruti Anil Mistry

Applicant

versus

The State of Maharashtra

Respondent

Mr.Omkar Nagwekar i/by Prabha Badadare for applicant.

Mr.A.R.Kapadnis, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 19th March 2021

PC :

1. Not on board. Taken on board. Upon mentioning taken on board.

2. The applicant was granted anticipatory bail by Sessions Court in CR No.556 of 2016 registered with Malvani Police Station for offences under Sections 354, 504 r/w 34 of IPC. The order was passed on 20th July 2017. While allowing the said application the Sessions Court had directed that the applicant shall not leave the jurisdiction of the Court without prior permission of said Court. Thereafter the applicant had preferred application for relaxation of that condition, which was rejected by order dated 30th July 2019.

3. It is submitted that condition is operating since June-2017. There was no apprehension that the applicant could abscond. The applicant is permanent resident of Mumbai. The FIR has been challenged by preferring Writ Petition before this Court and by order

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dated 13th January 2017, ad-interim relief was granted directing that charge sheet should not be filed against petitioners therein.

4. It is submitted that the applicant has been invited to join as Jury at Dubai. Apart from that, such stringent condition is not warranted. This Court had already directed that charge sheet should not be filed.

5. Considering the aforesaid circumstances, condition no.(8) in order dated 20th July 2017 passed in Anticipatory Bail Application No.1015 of 2016 by Additional Sessions Judge, City & Sessions Court, Borivali Division, Dindoshi viz “Applicants shall not leave the jurisdiction of this Court without prior permission of this Court”, stands relaxed. However, whenever the applicant Aakruti Anil Mistry leave India, prior intimation thereof be given to the Investigating Officer. The application stands disposed of.

6. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)

MST