

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2510 OF 2021
IN
CRIMINAL APPEAL NO.383 OF 2010

Mrs.Mercy John Keralavakkayil ..Applicant

Vs.

CBI, ACB, Mumbai, BS & FC,
EOW & Anr.

..Respondents

NILAM
SANTOSH
KAMBLE

Digitally signed by
NILAM SANTOSH
KAMBLE
Date: 2021.10.28
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Mr.Kartik S. Garg for the Applicant.

Mr.Saurabh Kshirsagar i/b Hiten Venegaonkar for Respondent No1 -
CBI.

Mr.S.H. Yadav, APP for the Respondent No.2-State.

CORAM : C.V. BHADANG, J.

DATE : 28 OCTOBER 2021

P.C.

. This is an application for permission to travel abroad to
USA from 20 January 2022 to 19 July 2022.

2. I have heard the learned counsel for the applicant and
the learned counsel for the respondents-CBI. The CBI has filed a
reply.

3. The record discloses that the applicant was permitted
thrice to travel abroad on certain conditions. After that by an order

dated 19 March 2021 in Interim Application No.433 of 2021 this Court (Smt.Bharati Dangre, J.) had granted permission to the applicant to travel abroad from 1 June 2021 to 30 November 2021 subject to conditions. The learned counsel for the applicant points out that on account of the second wave of the Corona Virus the applicant could not avail the said permission and could not travel to USA. It is submitted that daughter of the applicant has delivered and the applicant wants to be with her daughter in USA.

4. Upon hearing the learned counsel for the parties it appears that the applicant has already been granted permission to travel abroad from 1 June 2021 to 30 November 2021 which the applicant could not avail on account of circumstances beyond her control. Thus the present application has to be considered as for modification of said period as permission has already been granted.

5. In such circumstances, for the reasons mentioned in the order dated 19 March 2021 the applicant is granted permission to travel abroad between 20 January 2022 to 19 July 2022 on the following conditions:

ORDER

- (i) The applicant shall not withdraw the cash security of Rs.1 lakh given by her to this Court as an additional security under the order dated 19/03/2015. The

amount remains untouched until the applicant returns from USA.

(ii) The applicant shall not visit any country other than USA.

(iii) The applicant shall furnish her address to the CBI of the places where she intends to reside/stay in the USA. This shall be complied with before the applicant leaves India.

(iv) The applicant shall also furnish her contact number to the CBI, before she leaves India.

6. The application is disposed of in the aforesaid terms.

C.V. BHADANG, J.