

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

**Criminal Application No. 344 / 2019**

Champalal K Vardhan

.. Applicant

**Versus.**

The State of Maharashtra

.. Respondents

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Mr. Aniket Nikam i/by Mr. Piyush R. Toshnival,  
Advocate for the Applicant.

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

Mr. Atul Adurkar, A.P.I., EOW Unit-II.

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**CORAM : SANDEEP K. SHINDE J.**

**DATE : 11<sup>th</sup> OCTOBER, 2021.**

**P.C. : -**

Heard. Learned Counsel for the Applicant and  
learned Prosecutor for the State.

1. Applicant seeks relaxation of Condition No. 3  
and 5 imposed while releasing him on the bail in the  
Crime No. 101/2011, which was renumbered as Crime  
No. 21/2011. These conditions were imposed vide

order dated 16<sup>th</sup> March, 2017, which reads as under;

(3) The applicant should not leave India without permission of the Court.

(5) The applicant to deposit his passport if any, with the investigating officer.

2. It is pointed out that the learned Magistrate in past had permitted Applicant to travel abroad vide orders at page no. 61 to 72 of the paper book. It is argued that Applicant may have to travel abroad, frequently and seeking permission before every visit, causes inconvenience to him. Besides he cannot travel even in exigency. It is argued that the Applicant has followed all conditions imposed, while he was permitted to travel abroad and not jumped any condition. It is therefore, prayed that the Condition No. 3 and 5 may be relaxed.

3. In my view, it would suffice the purpose if Applicant is directed to submit travel itinerary

with necessary particulars like destination, travel period, date of return, his contact details in foreign state with the concerned Police Station, at least ten days before travelling abroad. In lieu of this direction, the Condition No. 3 and 5 imposed vide order dated 16<sup>th</sup> March, 2017 by the learned Additional Chief Metropolitan Magistrate, 47<sup>th</sup> Court, Esplanade, Mumbai, while releasing the Applicant on bail, are hereby quashed and set aside.

4. The Criminal Application is allowed in the aforesaid terms and disposed of accordingly.

**(SANDEEP K. SHINDE, J.)**

MOHAMMAD  
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QAYYUM

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by MOHAMMAD  
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Date: 2021.10.12  
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*Najeeb..*