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

CRIMINAL APPLICATION NO.12 OF 2018

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Union of India

V/s.

Jitendra Narsinh Ved & Anr.

... Applicant

... Respondents

Mr. N. Narayanswamy, Special PP for the applicant.

Ms. Milan A. Hebballi for respondent no.1.

Mr. A.D. Kamkhedkar, APP for respondent no.2/State.

Mr. Argwan Parvez, Superintendent of Customs,
present in-person.

CORAM : AMIT BORKAR, J.

DATED : DECEMBER 2, 2022

PC.:

1. The order impugned in the application is dated 27th February 2017 setting aside the order directing applicant to obtain previous permission of the Court. Learned advocate for the petitioner is challenging the order on the ground that the impugned order is blanket order and considering the nature of the offences alleged against the applicant, i.e. offences punishable under sections 132, 135(1)(a), 135(1)(b) read with section 135(1)(i) of the Customs Act, 1962, the condition need to be imposed that the respondent no.1 shall not leave the country without permission of the Court.

2. The learned Sessions Judge while setting aside the condition

in the bail application for taking prior permission of the Court has not assigned logical reasons. In my view, considering the nature of the offences alleged against the applicant/respondent no.1, the condition imposed by the Trial Court that the applicant/respondent no.1 shall not leave the country without permission of the Trial Court needs to be maintained. Hence, following order:

- a) The petitioner to return passport of the respondent no.1 within three (3) weeks from today;
- b) The respondent no.1 shall not leave the country without obtaining prior permission from the Trial Court.

3. The criminal application is disposed of in above terms. No costs.

(AMIT BORKAR, J.)