

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 155 OF 2022

Shadab Shakir Reshmwala .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Mr. Syed Asif Abbas Naqvi for the applicant.
Ms.Veera Shinde, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 11th NOVEMBER, 2022

P.C:-

1 By the present application, the applicant seek relaxation of the condition imposed on him while being released on bail on 13/2/2017 by the Addl. Sessions Judge, Greater Mumbai to the following effect :-

“Applicant/accused shall not leave India without prior permission of the trial Court”.

2 The learned counsel would submit that the imposition of the condition is posing great difficulty for him, as unconnected with the degree in respect of which he face accusations, he is engaged in a Multi National Company in Dubai and his job require him to travel to various destinations without any notice being issued in advance.

3 Heard learned counsel for the applicant and the learned APP. I am not inclined to relieve the applicant of the said condition, since the accusations faced by him are serious in nature when it is alleged that number of students have taken admission for MBBS Course at Grant College, Mumbai, on the basis of the certificate that they belong to Scheduled Caste and Scheduled Tribe or Other Backward Classes. Subsequently, it was however, revealed that certificates are forged. The applicant is alleged to have applied for the said course by submitting false caste certificate.

4 Considering the seriousness of the accusation and the fact that the applicant should face the trial, I am not inclined to relieve him of the said conditions, though I cannot also deprive him of his livelihood as he is presently engaged in a Company in Dubai and on last six occasions, with the permission of the Court, he had travelled abroad for job assignment.

 The applicant submit that he has dutifully abided by the other condition, which submission of the learned counsel is not disputed by the learned APP.

5 In such circumstances, whenever such an application is made by the applicant, the Juvenile Justice Board shall decide his application on urgent basis and in any case, shall dispose off the same within a period of two weeks from date of it being filed.

6 With the aforesaid direction, application is disposed
off.

(SMT. BHARATI DANGRE, J.)