

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.752 OF 2022**

Harish Chand Jain and ors .. Applicants
Versus
The State of Maharashtra .. Respondent

**WITH
INTERIM APPLICATION NO. 1593 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 752 OF 2022
WITH
INTERIM APPLICATION NO. 1594 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 752 OF 2022**

Harish Chand Prakash Jain .. Applicant
Versus
The State of Maharashtra .. Respondent

**WITH
INTERIM APPLICATION NO. 1056 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 752 OF 2022**

Satish Vasant Ghatge .. Applicant
Versus
The State of Maharashtra and ors .. Respondents

**WITH
INTERIM APPLICATION NO. 1439 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 752 OF 2022**

Brendon James Sissing .. Applicant
Versus
The State of Maharashtra and ors .. Respondents

**WITH
ANTICIPATORY BAIL APPLICATION NO. 753 OF 2022**

Harish Chand Jain and ors .. Applicants
Versus
The State of Maharashtra .. Respondent

**WITH
INTERIM APPLICATION NO. 1594 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 753 OF 2022**

Harish Chand Prakash Jain .. Applicant
Versus
The State of Maharashtra .. Respondent

**WITH
INTERIM APPLICATION NO. 1438 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 753 OF 2022**

Brendon James Sissing .. Applicant
Versus
Harish Chand Jain and ors .. Respondent

**WITH
INTERIM APPLICATION NO. 1055 OF 2022
IN
ANTICIPATORY BAIL APPLICATION NO. 753 OF 2022**

Satish Vasant Ghatge

.. Applicant

Versus

State of Maharashtra and anr

.. Respondents

Mr. Shekhar Jagtap with Hasnain Kazi and Shraddha Vavhal, Rhea Francis and Pragta Sharma for the applicants.

Mr. Sachin Pawar for the intervenor in IA 1593/22 and IA 1056/22.

Mr. Subhash Jha i/b Sachin Pawar for the intervenor in IA 1594/22.

Mr. Rahul Kamble, PC No.1344 from Shahupuri Police Station, Kolhapur present.

CORAM: BHARATI DANGRE, J.

DATED : 26th MAY, 2022

P.C:-

(Vacation Court)

1 By the two Interim Applications, the applicant Harish Chand Jain seek permission from this Court to travel abroad for attending CFO conference at Frankfurt, Germany, from 27/5/2022 to 2/6/2022.

The applicant who is a whole time Director and CFO of Daimler Financial Services India Ltd, state that it is very much necessary for him to attend the said Conference and has placed on record the invitation letter received for the said purpose. Accordingly, he booked the tickets for travel and he is scheduled to depart from Chennai Airport on 27/5/2022 at 1.05 am and he would be reaching Frankfurt at 8.25 a.m. On attending the

Conference, he is likely to board the Flight from Frankfurt which will bring him to Chennai at 23.50 hrs on 2/6/2022. The itinerary as well as the tickets are filed along with the application. The applicant is arraigned as the accused in C.R.No.164/2022 and C.R.No.165/2022 registered with Shahupuri Police Station and face accusations u/s.420, 465, 467, 468, 471 of the IPC.

2 By an order dated 22/4/2022, the applicant has been admitted to interim protection, subject to his co-operation to the concerned police station by attending the police station on every alternate Sunday. Further, another condition which was imposed upon him is to the effect that he shall not leave the country without the prior permission of the Court.

The aforesaid order has been modified by the Apex Court on 6/5/2022, directing the Investigating Officer/Police to serve 7 days advance notice on the applicant, if his presence is required in the police station.

As a result of this, as can be called for investigation on issuing atleast 7 days prior notice.

3 The learned counsel for the applicant has also placed on record an affidavit-cum-undertaking sworn by the applicant on 24/5/2022 wherein, apart from giving the minute details of his travel and his stay, he has given an undertaking that he shall abide by all conditions that would be imposed for undertaking the aforesaid travel and he shall not extend his stay, in any case,

beyond 2/6/2022. The said affidavit-cum-undertaking is taken on record and marked “X” and “X-1” for identification.

4 In the wake of the aforesaid undertaking and the exigency expressed in the application, I am inclined to permit the applicant to travel abroad to attend the CFO Conference at Frankfurt, Germany.

The applicant shall be permitted to travel abroad on 27/5/2022 and he shall return to India on 2/6/2022.

In any case, he shall not extend his stay in Frankfurt or shall not travel further to any other destination.

5 As far as the apprehension expressed by the learned APP that the applicant is not making himself available for investigation, the apprehension can be well taken care of, if a notice is served upon the applicant to attend the police station on any date after 2/6/2022.

6 The learned APP state that the Investigating Officer is desirous of having the presence of the applicant for investigation on 5/6/2022. The learned counsel for the applicant has taken notice of the said fact and irrespective whether the notice is issued or not. However, by way of abundant precaution and in order to abide the direction of the Hon’ble Apex Court, the Investigating Officer shall forward an e-mail to the applicant, intimating him that he shall attend the police station on 5/6/2022.

7 With the aforesaid direction, the Interim Application Nos.1593/22 and IA No.1594/22 are disposed of.

(SMT. BHARATI DANGRE, J.)