

TAUSEEF
LAIQUEE
FAROOQUI

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.562 OF 2022

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Date: 2022.10.19
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Vanessa De souza

...Applicant

V/s.

State of Maharashtra

...Respondent

Mr. Manoj Mohite, Senior Advocate i/by Mr. S. C. Wakankar for Applicant.

Ms. G. P. Mulekar, APP for Respondent (State).

CORAM : AMIT BORKAR, J.

DATE : OCTOBER 18, 2022

P.C.:

1. Application has been filed challenging condition nos.3 and 6 of order dated 10th March 2022 in Criminal Bail Application No.1336 of 2022 passed by the learned Additional Sessions Judge.

2. Learned Additional Sessions Judge by order dated 6th September 2021, granted bail to the applicant. Clause 2 was to come into operation in case of arrest of the applicant. According to the applicant, he was never arrested, therefore, there was no question of executing PR bond.

3. Learned Sessions Judge by order dated 10th March 2022 granted permission to the applicant to travel from 12th March 2022 till 30th March 2022.

4. Applicant filed another Application seeking permission to travel abroad for business purpose from 2nd June 2022 to 15th June 2022. The said Application has been rejected by order dated 27th May 2022 on the ground, that the applicant was directed to execute PR bond of Rs.1,00,000/- with one or two sureties. But, the said order was not complied with.

5. On perusal of clause 2 of order dated 6th September 2022, it is clear that the said clause would come into operation only in case of arrest of the applicant. In view of undisputed fact that the applicant was not arrested clause 2 of order dated 6th September 2022 would not come into operation.

6. Be that as it may, the senior advocate appearing for the applicant states that the applicant is now ready to furnish PR bond of Rs.1,00,000/- alongwith one or two surety in the like amount before the learned Additional Sessions Judge, Pune.

7. In that view of the matter, the applicant is permitted to furnish PR bond of Rs.1,00,000/- alongwith one or two surety in the like amount before the learned Sessions Judge within four weeks from today.

8. In case, the applicant files application seeking similar prayers as sought by application below Exhibit-1, the learned Additional Sessions Judge shall consider it on merits without considering clause 2 of order dated 6th September 2021.

9. Applicant is at liberty to file application in case he desires to travel abroad which shall be decided by the learned

Additional Sessions Judge in accordance with law expeditiously.

10. This Application stands disposed of.

(AMIT BORKAR, J.)