

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.3090 OF 2022
IN
BAIL APPLICATION NO. 3625 OF 2021**

Munmun Amit Kumar Dhamecha .. Applicant
Versus
The Union of India .. Respondent

Mr .Ali Kaashif Khan a/w Ms. Riya Jain for the Applicant.

Mr. Shreeram Shirsat a/w Mr. Amandeep Singh Sra a/w Adv.
Nishi Singhvi for Respondent-NCB,

**CORAM: BHARATI DANGRE, J.
DATED : 10th OCTOBER, 2022**

P.C:-

1. By the present application the applicant seek the variation of following conditions imposed upon her while being released on bail by order dated 28/10/2021.

The conditions of which variation is sought are read as under:

“(f) Applicants/Accused shall surrender their passport before the Special Court immediately.

(h) Applicants/Accused shall not leave the country without prior permission from the Special Judge for NDPS at Greater Mumbai.

(I) If the Applicants/Accused have to go out of Greater Mumbai, they shall inform the Investigating Officer; and shall give their itinerary to the Investigating Officer.

(j) Applicants/Accused shall attend the NCB Mumbai office on each Friday between 11:00 a.m. to 2:00 p.m. to mark their presence.”

2. The learned counsel Mr. Shirsat had placed on record an affidavit filed by Rajesh Kumar Yadav an Authorized Officer on behalf of the respondent and the application is partly opposed , though very fairly the learned counsel Mr. Shirsat has no objection if the condition No. (j) is relaxed/modified, by directing the applicant to attend the NCB office as and when called for.

3. As far as the condition No. (f) is concerned, the respective counsels are at consensus that this condition need to be waived. since the passport of the applicant was already seized before the said order was passed and therefore the applicant is exempted from the condition of surrendering the passport.

4. As far as condition no. (h) is concerned, since the passport is seized by the authorities, in exceptional circumstances the applicant is at liberty to move an application seeking permission

to leave the country which would necessarily involve return of the passport.

5. As far as condition No. (i) is concerned, I do not find this condition to be onerous since this was modified qua the present applicant on 24/11/2021, and she was permitted to stay in Delhi and was directed to mark her attendance to the NCB office at New Delhi.

The original Order shall be abided by in its modified form.

The applicant shall continue to enjoy liberty with the aforesaid modification.

(SMT. BHARATI DANGRE, J.)