

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 4115 OF 2022****IN****CRIMINAL APPEAL NO. 210 OF 2010**

Mahendra Jagdish Agarwal

...Applicant

Versus

State Of Maharashtra

...Respondent

Ms. Sangita Musle, Advocate for Applicant.

Ms. M. H. Mhatre, APP for Respondent/State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.****DATE : 8th DECEMBER, 2022.****PC.:-**

. This is an application by original Respondent No.1 in Criminal Appeal No. 210 of 2010 preferred by State against acquittal of Applicant and other accused persons.

2. Learned Advocate for the Applicant submitted that, the Applicant intends to travel to Kathmandu, Nepal for vacation along with family members from 22nd December, 2022 till 28th December, 2022 and will stay at hotel, address of which is mentioned in para-10 of the application.

She submitted that, the Applicant is having deep root of the society. That, the Applicant is businessman and is having his business in the city of Mumbai.

3. In view thereof, we are inclined to permit the Applicant to travel abroad i.e. Kathmandu, Nepal from 22nd December, 2022 till 28th December, 2022.

4. Hence, following order:-

- (i) The Applicant is permitted to travel to Kathmandu, Nepal and to stay at the address mentioned in para-10 of Application from 22nd December 2022 till 28th December, 2022.
- (ii) Before Applicant leaves Mumbai, at least 48 hours he shall give detailed itinerary to the Assistant Registrar, Criminal Appeal Department, High Court Bombay along with names of persons, with whom he intends to travel abroad and to provide Mobile numbers and land line numbers of all the concerned.
- (iii) The Applicant shall furnish cash surety of Rs.1 lakh along with PR bond of Rs.1 lakh in the Registry of this Court at least 48 hours in advance and the acknowledgment of the same be produced before the Assistant Registrar, Criminal Appeal Department, High Court, Bombay.
- (iv) After his return to India on 28th December, 2022, Applicant shall report the said fact in writing to Assistant Registrar, Criminal Appeal Department, High Court, Bombay on or before 31st December, 2022.

- (v) Upon his information to the Assistant Registrar, Appeal Department, High Court Bombay about his return, the Assistant Registrar, Criminal Appeal Department, High Court, Bombay, within a period of three weeks therefrom refund cash surety of Rs.1 lakh to the Applicant and will cancel his PR bond of Rs.1 lakh.
- (vi) Application is allowed in the aforesaid terms.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)

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