

Ghuge

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.29 OF 2023

Gajendra Padam Singh Thakur	... Applicant
V/s.	
The State of Maharashtra	... Respondent

**WITH
INTERIM APPLICATION NO.573 OF 2023**

Farhad Rusi Bharucha	... Applicant/Intervenor
In the matter between :-	
Gajendra Padam Singh Thakur	... Original Applicant
V/s.	
The State of Maharashtra and Anr	... Respondents

Mr. Viral Babar a/w Sanjay Dhadam for the applicant.

Mr. Carl Patel i/b Sanaea Umrigar for Intervenor.

Mr. A.R. Patil APP for the State.

CORAM : AMIT BORKAR, J.

DATED : MARCH 8, 2023

P.C.:

1. The applicant has filed present application challenging order dated 15th November, 2022 rejecting the application of applicant filed before the learned Sessions Judge for modification of condition No.6 of order dated 28th October, 2021 imposed while granting Anticipatory Bail Application to the application. Condition No.6 reads as under :-

“6 Applicant shall not leave India without previous permission of the Court”.

The applicant applied for modification of said condition stating that he is a businessman and needs to travel frequently. The learned Trial Court rejected the application taking into consideration that the nature of offence registered against the applicant.

2. The imposition of condition is within the power of the learned Trial Court while granting Anticipatory Bail. It is always open for the applicant to apply for permission whenever he wants to travel abroad such application will be decided by the learned Trial Court according to law.

3. Considering the reasons stated in the application for modification, no case for modification is made out.

4. However, it is clear that the applicant shall have liberty to file appropriate application for permission to travel abroad subject to discretion of learned Trial Court.

5. The Criminal Application stand dismissed. No costs.

6. In view of order passed in the present Criminal Application, the Interim Application No.573 of 2023 of does not survive.

(AMIT BORKAR, J.)