

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

CRIMINAL APPLICATION NO.279 OF 2022

Sanjay Kumar Agrawal

.....Applicant

Versus

Union of India

and another

.... Respondents

Mr. Rahul Arote, Advocate for the Applicant.

Mr. Shreeram Shirsat, Counsel a/w. Anna Oommen, Shekhar Mane, for the Respondent No.1 ED.

Mr. A.R. Patil, APP for the Respondent No.2-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 12th JUNE, 2023

P.C. :

1. The Applicant has challenged the order dated 17.2.2022 passed by the Additional Sessions Judge, Court Room No.16, Greater Bombay. The application was for permitting the applicant to travel abroad to UAE from 1st March 2022 to 31st March, 2022. The said application was rejected. It was observed that the Applicant was not arrayed as an accused and he was simply called for the investigation.

Learned Judge observed that grant of such permission would amount to interference in the investigation. It was also observed that the E.D. had issued Look-Out notice against him. Considering all this, learned Judge arrived at the conclusion that granting such permission would amount to interference in the investigation which would ultimately frustrate the object of the trial.

2. The period for which the Applicant wanted to travel abroad i.e. from 1st March, 2022 to 31st March, 2022 has already expired. As rightly observed by learned trial Judge, the Applicant is not even an accused before learned Judge. The orders mentions that Look-Out notice is issued against him. Therefore, on all these counts, I do not see as to how the Applicant gets a locus to file this application before the trial Court. He is not a party in the said trial.

3. Learned counsel for the Applicant accepts this position and he submits that he is not pressing this application and would pursue his remedy under Article 226 of the Constitution of India. He seeks liberty to withdraw

this Application. The Application is disposed of as not pressed. The Applicant is at liberty to pursue any other remedy available to him in accordance with law.

4. With these observations, the Application is disposed of as not pressed.

(SARANG V. KOTWAL, J.)