

THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1718 OF 2023

IN

CRIMINAL APPLICATION NO. 789 OF 2019

IN CRIMINAL APPEAL NO. 731 OF 2019

Shantilal Tarachand Chauhan

...Applicant

Versus

Central Bureau of Investigation and Another

...Respondents

Mr. M. M. Chaudhari for the Applicant in IA/1718/2023.

Mr. Amit Munde for Respondent No. 1.

Ms. S. S. Kaushik, APP for the State.

CORAM : REVATI MOHITE DERE &

GAURI GODSE, JJ.

DATE : 12th JULY 2023

P. C. :

1. By this Interim Application the applicant seeks the following substantive relief :

(B) To relax the condition No. ii of order dated 27/06/2022 passed in Criminal Application No. 789/2019 and direct the Respondent No. 1 to return the passport of applicant bearing No. E6762909 so that the applicant can renew his passport.

2. Perused the application. Vide order dated 27th June 2022 whilst suspending the applicant's sentence and enlarging him on bail this court had directed the applicant to deposit his passport with the investigating officer before his release on bail.

3. Learned counsel for the applicant states that the applicant's married daughter has shifted to Dubai alongwith her husband and in the event the applicant is required to travel to Dubai, alongwith his wife to meet his daughter, he will require his passport.

4. It appears that the applicant's passport has expired on 25th September, 2013 and is required to be renewed and for the renewal of the said passport he would have to surrender his old passport.

5. Accordingly, we relax/modify the condition no. (ii) imposed by this court vide order dated 27th June, 2022 passed in Criminal Application No. 789 of 2019 and direct the respondent no. 1-CBI

to return the applicant's passport bearing no. E6762909 to enable the applicant to renew the same.

6. Accordingly, the said condition is relaxed and the following condition is imposed, in addition to the conditions imposed by this Court while enlarging the applicant on bail vide order dated 27th June 2022, i.e. that the applicant shall not leave India without the permission of this Court.

7. Application is accordingly, disposed of in the aforesaid terms.

8. All concerned to act on an authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.