

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CR. WRIT PETITION NO. 1783 OF 2023

Vineet Sachdeva & Anr. ...Petitioner
Versus
State of Maharashtra ...Respondent

Mr. Gaurav Parkar, a/w. Ms. Priyanvada Singhmitra i/b DSK Legal *for the petitioner.*

Ms. M. R. Tidke, *APP for State.*

PSI Aamsiddha Rampure, BKC Police Station present.

CORAM: SANDEEP V. MARNE, J.

DATE : 24th May 2023.

P.C.:

1. Heard learned counsel appearing for the petitioners and the learned APP. Sessions Court has granted Anticipatory Bail to the petitioner by order dated 23rd February 2023. In condition No. (8) of the order dated 23rd February 2023 the petitioner was prohibited from leaving Mumbai city. By subsequent order dated 16th March 2023, the Sessions Court modified the said condition by putting restriction on the petitioner from leaving India. Petitioner then applied before the Sessions Court for permission to travel abroad. Though the Sessions Court has

granted permission to the petitioner to travel abroad during 17th June 2023 to 7th July 2023, one of the conditions imposed for grant of such permission is as under :

“Further applicant shall mark his presence with the Indian embassy at the place nearest to his destination, on every alternate day.”

2. The learned counsel appearing for the petitioner would submit that petitioner No.2 is traveling abroad for the purpose of delivering lecture whereas petitioner No.1, who is the husband of petitioner No.2, is traveling in connection with his business. He would submit that it would be impossible to comply with the above quoted condition by marking presence with the Indian embassy on every alternate day. Learned APP does not have serious objection for deletion of the above quoted condition.

3. Petitioners have already been granted permission to travel between 17th June 2023 to 7th July 2023. The Sessions Court has imposed various other conditions while granting permission such as deposit of cash security of Rs.1,00,000/-, return of passport and marking of presence on 8th July 2023, etc.

4. Considering the objective for which the petitioners are proposing to travel, in my view the above quoted condition can be relaxed in the peculiar facts and circumstances of the case.

5. Writ Petition is accordingly allowed. The condition quoted in paragraph No.1 above shall stand deleted from the order of the Sessions Court dated 16th March 2023. Writ Petition is accordingly disposed of.

(SANDEEP V. MARNE, J.)