

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3136 OF 2023
IN
CRIMINAL APPEAL NO. 692 OF 2019

Shahrukh Majjid Mahadkar .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Ms.Akshata B. Desai i/b Nitin Sejpal for the applicant.
Mr. S.R. Agarkar, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 9th NOVEMBER, 2023

P.C:-

1 As directed by order dated 4/11/2023, the applicant Shahrukh Majid Mahadkar has filed an affidavit-cum-undertaking in support of the application, which contain a specific statement that on account of the precarious financial condition, he has to take up the job abroad to support his family, and since he is offered a job of driver with handsome monthly salary which would take care of his family, he intend to travel abroad.

He has also admitted that apart from the subject C.R, another C.R No. I-405/2015 is also registered against him, where he is represented by counsel.

He make a categorical statement in para and 12 to the following effect :-

12 I say and submit that I am duly represented before this Hon'ble Court through Advocate Mr.Nitin H. Sejpal. I say that I will remain in contact with my Advocate. I say that I will return to India as and when the aforesaid is listed for final hearing. I say that if the sentence imposed upon by the trial Court is confirmed by this Hon'ble Court, in that event, I will immediately surrender to my bail bonds."

2 The affidavit-cum-undertaking dated 9/11/2023 is taken on record and marked 'X' for identification.

In the wake of the above, I deem it appropriate to grant the application by which the applicant seek permission to travel to Kuwait for the purpose of employment for atleast a period of two years.

While granting the permission, the undertaking in the affidavit is accepted and since the statement is made that whenever his presence is required for the purposes of trial, he shall return to India and present himself before the trial Judge.

He shall give the telephone number and address of the employer and shall keep the Investigating Officer intimated about any change therein.

3 With this above condition being imposed upon the applicant, he is permitted to travel to Kuwait and accept the employment which has been offered to him by M/s.Wadha Al-Mutairy Est.

Interim Application stand disposed off.

(SMT. BHARATI DANGRE, J.)