

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL INTERIM APPLICATION NO. 4300 OF 2024

IN

CRIMINAL APPEAL NO. 679 OF 2022

Anup Vijay Sheth

... Applicant

Versus

Central Bureau of Investigation and Anr.

... Respondents

.....

Mr. S. Xavier Fernando, Advocate for the Applicant.

Mr. Shreeram Shirsat a/w. Mr. Shekhar V. Mane, Advocate for Respondent -CBI.

Mr. P.P.Jadhav, APP for Respondent -State.

CORAM : SHIVKUMAR DIGE, J.

DATED : 26th NOVEMBER, 2024.

P.C. :

1. Leave to amend.
2. By this application, applicant is seeking direction to CBI, EOW to return his passport and permission to renew the passport as it expires on 29.03.2025. The applicant also seeks permission to travel abroad to Dubai between 22.12.2024 to 16.01.2025.
3. It is contention of learned counsel for the appellant that appellant has been convicted and sentenced for the offence punishable under Section 419, 420, 465, 467, 468, 471 read with Section 120-B of Indian Penal Code, 1860 (for short "IPC"). Applicant is on bail, he has

preferred appeal against the impugned Judgment and Order. The CBI has taken passport of the applicant. The validity of the passport is expiring on 29.03.2025. Applicant wants to renew it. Applicant intends to travel to Dubai from 22.12.2024 to 16.01.2025 hence requested to allow the application.

4. Learned Special P.P. for CBI strongly objected to allow the application on the ground that the applicant has been convicted and if passport is returned to him he may abscond and may not return to India. Moreover, the applicant has not given details of his stay at Dubai, hence requested to reject the application.

5. I have heard both the learned counsel. The applicant is citizen of India, during trial he was on bail. He has not misused his liberty. The applicant intends to travel to Dubai. Considering these facts, I pass following order.

ORDER

- (a) Application is allowed.
- (b) Investigating Officer of Crime No. RC No. 4/E/2010/CBI/EOW/Mumbai, shall return the passport to the applicant.
- (c) The applicant shall deposit additional security of Rs.20,000/- in the Court.

- (d) The applicant shall file application for renewal of the said passport. After renewal of the passport the applicant shall return the said passport to the Investigating Officer.
- (e) The applicant is permitted to travel to Dubai between 22.12.2024 to 16.01.2025.
- (f) The applicant shall give itinerary along with telephone number, place of visit of location to the Investigating Officer and the details of stay at Dubai and the phone numbers and mobile numbers when he is at Dubai.

(SHIVKUMAR DIGE, J.)