

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

CRIMINAL APPLICATION NO. 175 OF 2019

Nitin Patil & 2 Ors.

.. Applicants

Vs.

The State of Maharashtra
At the instance of Baramati
Gramin Police Station

.. Respondent

Mr.Ajinkya Badar I/b Mr.Bhosale Prabhoo Yashvant for applicants.

Mr.V.B. Konde-Deshmukh, APP for State.

CORAM : N.J. JAMADAR, J.

DATE : 29TH MAY 2019

P.C.

1. Heard the learned counsel for the applicants and the learned APP.
2. From the perusal of the order passed by the learned Additional Sessions Judge, on 26th December 2018, which is impugned in this petition, it becomes evident that the learned Additional Sessions Judge has expressly observed that the applicants can seek the permission to go abroad as and when need arises. The learned Additional Sessions Judge has, however, observed, and in my view rightly, that a complete relaxation of condition No.5 that the applicants shall seek permission of the Court before leaving the country, cannot be permitted.

3. Faced with the aforesaid situation, the learned counsel for the applicants restricted the petition to prayer clause (iii), whereby the applicants seek permission to travel abroad from 2nd June 2019 to 9th June 2019. It seems that such a prayer was not made before the learned Additional Sessions Judge. As observed earlier, the learned Additional Sessions Judge has expressly reserved the right of the applicants to seek permission to travel abroad as and when necessary.

4. In these circumstances, it would be appropriate for the applicants to approach the learned Additional Session Judge and seek permission to travel abroad. The learned counsel for the applicants would urge that the learned Additional Sessions Judge may not decide the application before 2nd June 2019 and the purpose of visit to Singapore would, in that event, be frustrated.

5. The applicants shall approach and file the application seeking permission to travel abroad before the learned Additional Session Judge tomorrow.

6. If such an application is filed, in view of the aforesaid anxiety on the part of the applicants, the learned Additional Sessions Judge is requested to expeditiously decide the application for permission to travel abroad, preferably before 1st June 2019.

7. The application stands disposed of.
8. All concerned to act on an authenticated copy of this order.

[N.J. JAMADAR, J.]