

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

**INTERIM APPLICATION NO. 2723 OF 2022
IN
CRIMINAL BAIL APPLICATION(ST) NO. 4718 OF 2020**

Jitin Mothukiri ...Applicant
Versus
The State Of Maharashtra ...Respondent

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Dr. Abhinav Chandrachud i/by Mr. Prem Kumar R. Pandey a/w Ms. Khushboo Pathak, Advocate for the Applicant.

Mr. N. B. Patil, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.
DATE : 20th OCTOBER, 2022.

PER COURT:

1. This is an application for return of passport which is deposited with the Investigating officer in accordance with directions in order dated 21.07.2020 passed by this Court in LD VC Bail Application No.48 of 2020. While granting bail to the applicant, it was directed that the applicant shall deposit his passport with the Investigating officer and make himself available as and when required by investigating officer.

2. Learned Advocate for the applicant submits that the charge-sheet is already filed. The trial has not proceeded. The applicant is required to travel abroad frequently. He is the permanent resident of Pune and the passport may be returned to the applicant.

3. Learned APP submitted that, considering the role attributed to the applicant in the FIR, the passport may not be returned to the applicant.

4. This Court had granted bail to the applicant vide order dated 21.07.2020 after he was in custody for substantial period. The charge-sheet is already filed in this case. The proceedings are pending before learned District Judge-2, Sessions Court, Shivaji Nagar, Pune.

5. Considering the aforesaid circumstances, I pass the following order :-

ORDER

- i. Order dated 21.07.2020 passed by this Court in LD VC Bail Application No.48 of 2020 is modified.
- ii. The passport deposited by the applicant in accordance with the said order be returned to the applicant.
- iii. In the event applicant intends to travel abroad, the applicant may prefer application seeking permission to travel abroad before trial Court.
- iv. Interim Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)