

Order below Exh. 81 in Sessions Case No. 327/2019
CNR MHAH 01-006150-2019

State of Maharashtra

-V/s-

Dilip Nanabhau Satpute and others

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01. This is an application filed by Accused No.7 Vikram Anil Rothod seeking permission to go abroad during the period from 1st December 2019 to 31st May 2020.

02. It is the contention of Accused No.7 that, present case is filed against him u/s 143, 147, 148, 149, 297, 323, 324, 336, 337, 332, 341, 353, 427, 504, 506 of the I.P.C. The accused has furnished the surety and attending the Court regularly. Co-accused in this case have not yet appeared and hence case is pending for charge. He is a social worker as well as Ex-Corporator. In addition to social work, he is also doing the business. Therefore he has to go Singapur, Thailand and Malesia for business purpose. Therefore, he constrained to file the present application.

03. The learned APP has resisted the application by filing Say at Exh. 87 and contended that, if the accused is permitted to go abroad then he will not be available for further trial. If permission is granted then, the hearing of the case will be prolonged. He contended that, if the Court comes to the conclusion that, applicant/accused is entitled for permission to go abroad, then heavy surety and certain conditions may be imposed

on him. Hence he requested to reject the application.

04. Heard learned Adv. Shri. S.B.Rakte for the accused as well as learned APP Shri. A.D.Dhage.

05. Perused the application, Say, affidavit filed by the accused No.7 as well as Record and Proceedings of this case.

06. The applicant/accused No.7 wants to go abroad for the period from 1st December 2019 to 31st May 2020. He has given undertaking to proceed with the matter on the given dates through his Advocate. He will not challenge his identity during trial. He will abide each and every conditions imposed by this court. He is ready to give the daily schedule of his tour of abroad if permission is granted by the court. Considering the above aspect, though the learned APP has objected the application but accused No.7 has already furnished surety, therefore no question will arise of absconding accused No.7. As such no delay will be caused in the trial. Therefore, I do not find any reason to reject the permission for accused No.7 to go abroad. Accordingly I pass following order.

ORDER

- 1) Application is allowed.
- 2) Accused No.7 Vikram Anil Rathod is permitted to go abroad i.e. Singapur, Thailand and Malesia during the period from 1st December 2019 to 31st May 2020.

- 3) He shall furnish the schedule before going to abroad.
- 4) He shall intimate to the Court after arrival from abroad.

Date :- 30/11/2019.

(Smt.K.K.Patil)
I/c District Judge -11, & Assistant
Sessions Judge, Ahmednagar