

Special Case No. 47/2017**CNR No. MHPU01-012385-2017***CBI, ACB, Pune**Vs**Ajit Kamlakar Gokhale & others***ORDER BELOW EXH.218**

1] Accused Ajit Kamlakar Gokhale along with other co-accused is charge-sheeted for the offences punishable under section Section 120-B r.w. 420, 465, 467 & 471 of Indian Penal Code and u/sec. 13(2) r.w. section 13(1)(d) of the Prevention of Corruption Act, 1988.

2] Accused Ajit Gokhale has filed this application and submitted that his daughter Parnal Gokhale and her husband are residing at – Unit No. 408, 1420 DuPont Street, Toronto, Ontario Canada M6H0C2. She is pregnant and she requested him for his parental support at this stage of life. Therefore, applicant need to visit her at the city of Toronto in Canada from 26/08/2023 to 26/12/2023. Further it is contention of applicant that previously he was allowed to travel out of country in the year 2019-2020 and he has abide by all the terms and conditions imposed on him and returned back to India well within the permitted time. On these aforesaid grounds, he is seeking permission to travel abroad from **26/08/2023 to 26/12/2023**. Therefore, this application.

3] CBI has filed the say vide Exh.222 and submitted that the present crime has been registered against accused persons under

Prevention of Corruption Act. Applicant / accused worked as Assistant General Manager (AGM) of Bank of Maharashtra, Model Colony Branch, Pune, from 21/11/2009 to 06/04/2013 and subsequently transferred to Nashik. There are seven cases including present case have been registered against present applicant / accused vide Special Case No. 23/2017, 24/2017, 44/2017, 45/2017, 46/2017 and present case. In the present case charge has been framed and now matter is fixed for prosecution evidence. The presence of the accused is required at the time of trial. The accused has not filed supporting document regarding the reason mentioned in his application. If applicant / accused is allowed to travel abroad, there is reasonable apprehension that he may abscond. Hence, prayed to reject the application.

4] Heard learned advocate Mr. Rahul Deshpande for applicant / accused and learned APP Mr. Abhayraj Arikar for CBI /prosecution. The case is fixed for evidence. The accused is ready to attend the court hearings as and when required. Daughter of applicant is residing at Canada. Application is supported with affidavit. He has also filed address Pursis of his daughter and copy of Passport. He is intending to reside for 4 months with his daughter for taking her care. He being a father has legal right to stay with his children.

5] Considering the facts stated by the applicant / accused and allegations against him in the report, I do not think there is chance to flee him from the court of justice. The applicant / accused has sought permission to travel abroad from **26/08/2023 to**

26/12/2023 i.e. for more than 4 months. The present matter is fixed for evidence. In his absence evidence can be recorded in presence of his advocate, so that matter can be proceeded, provided he will be represented by his advocate on each and every date. Further, if the presence of applicant / accused is required, in that case, as per his oral submission, he can be called at any point of time whenever required by the Court. He is ready to abide by all the terms and conditions which may be imposed upon him. Therefore, it would be proper to allow the accused Ajit Gokhale to travel abroad for period as sought for. Therefore, I pass following order -

ORDER

- a] Accused **Ajit Kamlakar Gokhale** is permitted to travel to Canada and stay there from **26/08/2023 to 26/12/2023**.
- b] The order is subject to condition that accused shall furnish his email address, working mobile cell number and detailed address of his stay at Canada during the aforesaid period. He shall give an undertaking that in the present case, he will be represented by his advocate on each and every dates and in his absence evidence can be recorded in the presence of his advocate. Further, if his presence is required during the aforesaid period he shall come back on receipt of summons on his email address.
- c] Applicant / accused shall submit appearance report and copy of passport showing entries in respect of the schedule for which the permission is granted, after his arrival in India.

Date – 01/07/2023

(A.S.Waghmare)
Special Judge (CBI-ACB cases)
Pune.

I affirm that the contents of this PDF file order are same word for word as per original order

Name of Steno : Smt. S. R. Shaikh,
Stenographer, Grade 1

Court Name: : Shri.A.S. Waghmare
Special Judge CBI, ACB, Pune.

Order signed by PO : 01/07/2023
Date of PDF : 01/07/2023
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