

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CRIMINAL APPLICATION (MODIFICATION/DELETION OF
CONDITION) NO. 6133 of 2025**

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KANTILAL BHIMAJIBHAI RATHOD

Versus

STATE OF GUJARAT & ANR.

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Appearance:

MR.MINHAJ M SHAIKH(6847) for the Applicant(s) No. 1

MS DIVYANGNA JHALA, APP for the Respondent No.1

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CORAM:HONOURABLE MR. JUSTICE M. R. MENGDEY**Date : 09/05/2025****ORAL ORDER**

1. The Applicant has preferred this Application for modification of Condition No.5 imposed by learned Sessions Court, Ahmedabad vide order dated 19.3.2022 while granting Bail which required the present applicant to restrain from travelling abroad without prior permission of the concerned court as well as to deposit his passport before the concerned court.
2. Heard learned Advocate for the Applicant and learned APP on behalf of the Respondent - State.
3. Rule. Learned APP waives service of notice of Rule on behalf of the Respondent – State.
4. Learned advocate for the applicant submitted that the present applicant is required to travel abroad for a period commencing from 20.5.2025 to 26.5.2025 for business purposes. He further submitted that the present applicant has been complying with the other conditions imposed by this court. Therefore he submitted that the present application may be allowed and

aforesaid condition may be suspended for a suitable period.

5. Learned APP has opposed the Application.

6. From the record it appears that the condition in question was imposed by learned Sessions Court, Ahmedabad. Though the applicant could have approached learned Sessions Court for modification of the said condition. For the reasons best known to learned advocate for the present applicant, the applicant had directly approached this court for modification of the condition. Be that as it may.

7. In the facts and circumstances of the present case, the application is allowed. Having regard to the cause shown in the application, the aforementioned condition in question is ordered to be suspended for period of 15 days. The passport of the applicant which is surrendered before the concerned trial court shall be returned to him upon deposit of an amount of Rs.50,000/- (Rupees Fifty Thousand) before the concerned trial Court and the Applicant on re-surrendering the passport, the trial Court shall release the amount of Rs.50,000/- (Rupees Fifty Thousand) to the applicant, after due verification. During the said period the applicant is also permitted to travel abroad. The present applicant is also directed to furnish details of tour programme before concerned trial Court as well as to the investigating officer before travelling abroad. Rest of the order remains as it is.

Rule is made absolute to the aforesaid extent. Direct service permitted.

Manshi

(M. R. MENGDEY,J)

Original copy of this order has been signed by the Hon'ble Judge.
Digitally signed by: AMIN MANSI(HC01561), Private Secretary, at High Court of Gujarat on 09/05/2025 19:00:38