

Heard the learned counsel for the parties.

This application is filed for modification of the order passed by this Court on 3.4.2002. By the said order the applicant was directed to be released on bail on his executing a bail bond for a sum of Rs.1 lakh with a specific condition that he would surrender his passport, if not already surrendered, and the passport shall not be released till the trial is over. Learned counsel for the applicant has pointed out that the applicant is required to attend the marriage ceremonies of his brother's son and daughter at Belgium, and therefore, he may be permitted to go to Belgium for a few days.

Considering the fact stated in the application, the ACP, D-1/South D.C.B., CID, Mumbai, is directed to return the passport of the applicant and the applicant is permitted to go to Belgium for a period of one week only to attend the marriage ceremonies, on his furnishing security of Rs.50 crores to the satisfaction of the trial court. The ACP, D-1/South D.C.B., CID, Mumbai, shall release his passport forthwith but the applicant would not be permitted to leave the country without furnishing the security as stated above.

It is also clarified that any further applications, which may arise out of the order passed by this Court, be placed before the trial court for decision and the trial court would decide the same in accordance with law.

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Further, the applicant shall file an undertaking within two days from today, before the trial court to the effect that if the trial proceeds in his absence he would not have any objection and that on the date of posting of matter, a counsel on his behalf shall remain present during the trial.

The trial court is directed to proceed with the matter strictly by following the procedure prescribed under Section 309 Cr.P.C.

CRL.M.P. stands disposed of accordingly.

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(A.S. Bisht)
Court Master

(Janki Bhatia)
Court Master