

MHND030022632023 	<u>RCCNo.416/2023</u> State Vs. Jamal Adnan & Others
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ORDER BELOW EXH.29

1] This is an application filed by applicant/accused No.1 Jamal Adnan Mohammed Amshan seeking no objection certificate for renewal of passport for 10 years.

2] It is contended that, he is released on bail in the present crime. He is a resident of Nanded and wishes to visit Saudi Arabia for Umrah/ Hajj Pilgrimage once in his life time. As per the provision notified in Gazette of India vide GRS-570(E) dated 25/08/1993 it is mandatory for the applicant/accused No.1 to get permission from the court. He approached Regional Passport Officer for renewal of passport, however passport officer instructed to obtain necessary direction from the court to enable him to issue the passport. He is ready to abide any condition if imposed by the court. Hence, he prayed to allow the application.

3] The learned APP filed her say and resisted the application. It is submitted that, the matter is at the stage of Evidence and presence of applicant/accused No.1 is necessary for identification. If the application is allowed that, there are chances of absconding of the applicant/accused No.1 which will prolong the trial or there are chances that the applicant/accused No.1 may flee away. Hence, she

prayed to reject the application.

4] Heard the learned Advocate for the applicant/accused No.1 and APP. Perused the record. It appears that, the applicant/accused No.1 is charged for commission of offence punishable under section 51 and 63 of the Copy Right Act. The applicant/accused No.1 is permanent resident of Nanded. He intends to visit Saudi Arabia for Umrah/ Hajj Pilgrimage. This application is only for no objection for the renewal of the passport and there is no hurdle for issuance of the same.

5] The Hon'ble Bombay High Court in case of Narendra K. Ambwani Vs Union of India and Others in the Writ Petition No. 361/2014, issued directions that, “ *In all cases where the Magistrate's court directs renewal of the passport under the Rules, the Passport Rules, 1980 shall apply and passports other than for a child aged more than 15 years shall be renewed for a period of ten years or twenty years as the case may be from the date of its issue. All qualifying applicants are entitled to have passport renewed for atleast ten years. The Regional Passport Office shall renew the passport of such qualifying applicants atleast for ten years*”.

6] Considering the directions laid down in above cited authority the application deserves to be allowed by imposing conditions. Hence, I pass following order.

ORDER

(i) The application is allowed.

- (ii) The Regional Passport Officer is directed to renew passport of the applicant/accused No.1 Jamal Adnan Mohammed Amshan for a period of 10 years, if it is complete in all other respects.
- (iii) The applicant/accused No.1 shall not leave India without prior permission of the court.
- (iv) The applicant/accused No.1 shall furnish copy of the renewed passport within 7 days from receipt thereof.

Nanded.
Date : 14/07/2026.

(Mangesh R. Kayastha)
Judicial Magistrate First Class,
(Court No.5), Nanded.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same word to word, as per the original Order.

Name of stenographer	: S. M. Sarpate
Court Name	: 5 th Jt. C.J.J.D. & J.M.F.C.Court, Nanded.
Date	: 14/07/2026
Order signed by the Presiding Officer on	: 14/07/2026
Order uploaded on	: 14/07/2026