

MHAH220007282022**Order passed below Exh.37 in Cri.M.A. No.224/2022****Sallimoddin Nasiroddin Shaikh Vs Shaikh Sadik Abuddin Shaikh &
Ors**

[Dated 29.01.2026]

1. The accused no.3 Jakir Shahabuddin Shaikh has filed this application for permission for issuance of passport him to go to Mecca Medina-Saudi Arabia. This application is supported with affidavit. It is the contention of the applicant/accused that present case is pending against him for the offences punishable under Section 323, 504 and 506 read with 34 of the I.P.C. It is part heard case.

2. It is contention of applicant/accused that he has fixed place of residence at Mirajgaon, Tal. Karjat, Dist. Ahmednagar. He possess immovable property in the said village, including a residential house and ancestral agricultural land. The name of the applicant/accused has been included in the said crime due to a misunderstanding. The applicant/accused has no connection whatsoever with the alleged offence. The applicant/accused has been granted bail in the said crime. The Accused intends to travel with their family for the Haj/Umbra pilgrimage to Mecca Medina, Saudi Arabia. The said pilgrimage is for a duration of 40 days and the accused along with their family shall return immediately upon completion of the pilgrimage and has no intention of residing there permanently. Therefore, it is necessary to grant him permission to

go abroad for the above mentioned period. He has no objection to conduct hearing in the case, when he will abroad. He undertake that he will remain present in the case after coming from Haj/Umbra pilgrimage to Mecca Medina, Saudi Arabia. Only this case is pending against the applicant. He is ready to abide the condition which may be imposed by the Court. Hence, he filed present application.

3. The complainant was called upon to file say of this application. On behalf of the complainant say filed overleaf of this application and it is submitted that there is no objection to grant permission to the accused for issuance of passport. However, he denied remaining averments made in the application.

4. Heard Ld. advocate Shri. V. R. Mogal for the applicant/accused no.3 and Ld. advocate Shri. A. A. Mhetre for the complainant. It is not disputed that, the accused is on bail. There is a no condition imposed to restrain the accused to go abroad at the time of granting bail to him. It is pertinent to note that it is submitted on behalf of accused that he would not raise objection about his identity, if the hearing of the case is conducted during the period of his abroad. Further on behalf of the complainant there is no objection to allow the instant application. Further it appears that the permission is sought only for an order that there is no objection by the court for issuance of passport to the applicant due to the aforesaid crime pending against him. The applicant has also sought for prayer to send copy of this order to passport authority. It is pertinent to note that the passport authority has not made any requisition to this court. Therefore, the said relief cannot be

granted. In such circumstances it is responsibility of the applicant to communicate the order to be passed by this court to the concerned passport authority. Therefore, the instant application deserves to be allowed partly. Hence, I pass the following order.

ORDER

1.	The application is hereby partly allowed.
2.	The accused no.3 named Jakir Shahabuddin Shaikh from passport authority to get passport from regional passport authority, Ahmednagar.
3.	The permission is granted by considering facts and circumstances of S.C.C. No.224/2022 which is pending in this Court only.
4.	The appropriate authority may issue passport to him as per its rule and regulations.

Date :- 29.01.2026.

(Shri. S. N. Thapekar)
Judicial Magistrate First Class,
Court No.1, Karjat

CERTIFICATE

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

Court Name	:	Shri. S. N. Thapekar Judicial Magistrate F. C. Karjat, Tal.Karjat, Dist.Ahmednagar.
Name of Stenographer	the :	Vaibhav G. Ghogare Stenographer (Grade-III)
Date	:	29/01/2026