Filed on :	13/02/2026		
Registered on:	13/02/2026		
Decided on :	12/03/2026		
Duration :	Yrs	Mts	Dys
Exhibit :			

IN THE COURT OF 4TH ADDITIONAL SESSIONS JUDGE AHMEDABAD (RURAL) AT NAVRANGPURA

CRIMINAL REVISION APPLICATION NO. 35 OF 2026

Appellant:
Sanjaybhai Manubhai Patel
Aged: 45 Years,
Residing at: Bharathana (Vasu), Taluka Churyasi,
District Surat.

VERSUS

Respondent:
State of Gujarat

Appearance:
Mr. S. S. Nagori : Learned Advocate for appellant.
Mr. A. M. Gulabani : Learned APP for State.

J U D G M E N T

1. The present Criminal Revision Application has been filed by the appellant-originally accused against the order dated 22.01.2026 passed by the Ld. Additional Chief Judicial Magistrate, Ahmedabad [Rural] in Criminal Case No.7568 of 2025 (hereinafter referred to as "the impugned order"), by which, the Ld. Trial Court was pleased to partly allow the

application preferred by the appellant seeking release of his passport for renewal of passport as well as permitted the appellant to visit USA from 23.01.2026 to 23.03.2026.

2. Ld. Advocate for the appellant-originally accused has submitted that the appellant is facing charges for the offences punishable under Section 406, 420, 465, 467, 468, 471, 419, 120(b) and 114 of IPC registered with Sola High Court Police Station vide I-C.R.No.230/2015. It has been further submitted that the appellant was ordered to be enlarged on anticipatory bail vide order dated 14.09.2016 passed by the Ld. Predecessor Court in Criminal Misc. Application No.1705 of 2016 in connection with the aforesaid offences. It has been further submitted that upon conclusion of investigation, charge-sheet was submitted before the Ld. Trial Court, which has culminated into Criminal Case No.7707 of 2018. It has been further submitted that previously the appellant had preferred Criminal Misc. Application No.827 of 2025 seeking modification of the conditions for the purpose of validation of his residence status in USA, which was allowed by the Ld. Predecessor Court vide order dated 21.03.2025 with a condition to deposit Rs.1,50,000/-. It has been further submitted that in compliance of the order dated 21.03.2025,

the appellant had deposited a sum of Rs.1,50,000/- before the Nazir of this Court and had returned back to India within stipulated time frame. It has been further submitted that the appellant has acquired the status of Permanent Resident of USA from 06.12.2023. It has been further submitted that the appellant had thereafter preferred Criminal Misc. Application No.6103 of 2023 for suspension of conditions no.6 and 7 imposed upon him vide Criminal Misc. Application No.6103 of 2025, which was also allowed by the Ld. Trial Court vide order dated 16.10.2025, however, due to ill-health of mother of the appellant, he could not travel to USA during the said period. It has been further submitted that validity of the passport of the appellant is expiring on 04.06.2026 and as per the prevailing rules and regulations, the appellant is required to visit USA for at least six months, otherwise, his residence status would be invalidated. It has been further submitted that previously also, passport of the appellant was released and he was allowed to visit USA. It has been further submitted that the trial against the appellant is pending and out of 43 witness mentioned in the charge-sheet, only 3 witnesses were examined and as such trial of the case may take considerable time to conclude. It has been further submitted that in

compliance of the order dated 22.01.2026 passed by the Ld. Trial Court, the appellant has already deposited a sum of Rs.2,00,000/- before the Ld. Trial Court, which is also lying in the custody of the Nazir of the Ld. Trial Court. It has been further submitted that the appellant will abide by all the conditions imposed upon him. With these submissions he has prayed that the present revision application may be allowed.

3. Ld. APP for the State has vehemently opposed the present application and submitted that the impugned order passed by the Ld. Trial Court is just, proper and legal. He has further submitted that the appellant has not brought on record any medical papers pertaining to ailment of his mother and in absence of any corroborative evidence, the appellant is not entitled for any relief as sought by him. As such, he has submitted that no interference is warranted in the impugned order passed by the Ld. Trial Court and, thus, the present revision application may be rejected.

4. At the very outset it is worthwhile to mention here that appellant is praying for releasing his passport for the purpose of renewal as well as for visiting USA. Though, a criminal case is registered against the appellant, yet, it is a cardinal rule of criminal jurisprudence that a person is presumed to be

innocent till he is convicted. Further, right to go abroad is a fundamental right of every citizen. Earlier also the passport of the appellant was released and he was allowed to travel abroad. However, no incident is brought to the notice of this Court that the appellant had breached any of the conditions imposed upon him or has acted in a manner prejudicial to the interest of the prosecution. Accordingly, following order is passed in the interest of justice:

ORDER

1) The present Criminal Revision Application is hereby **allowed** and the concerned passport authority shall, on an application by the appellant, renew his passport as per the rules and regulations. Further, after renewal of the passport, the appellant may travel abroad i.e. USA till 31st July, 2026 without taking any prior permission from the concerned Court; however, the appellant shall intimate the Court concerned every time before travelling abroad regarding his itinerary and address/contact details of his travel destination.

2) The appellant-originally accused shall file an undertaking before the concerned Trial Court that he shall appear before the Trial Court as and when required and that the

trial shall not obstruct due to his absence.

3) The impugned order dated dated 22.01.2026 passed by the Ld. Trial Court in Criminal Case No.7568 of 2025 is hereby **modified** to the aforesaid extent only.

4) It is hereby made clear that breach of any condition of this order will automatically result in forfeiture of the aforesaid amount deposited by the appellant to the State.

5) Rest of the conditions of the order dated 22.01.2026 passed by the Ld. Trial Court in Criminal Case No.7568 of 2025 shall remain the same.

6) Yadi be issued to the concerned Passport Authority as well as the concerned Ld. Trial Court.

Pronounced in the open Court today on this 12th Day of March, 2026.

Date : 12.03.2026
Place: Ahmedabad

[Dipen Dilipkumar Buddhdev]
4th Additional Sessions Judge,
Ahmedabad (Rural) at Navrangpura.
UIC No.GJ00612.