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**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS  
JUDGE, AHMEDBAD [RURAL] AT MIRZAPUR  
AHMEDABAD.**

**Exh. : \_\_\_\_**

**Criminal Misc. Application No. 626 of 2026**

**APPLICANT**

Sanjay Verma  
Director of RRS Shipping Pvt. Ltd.  
Age: 38 yrs, Occup: Service,  
R/o A/303, Shiv Chamber,  
Plot No.21, Sector No.289,  
Bageshree Township,  
Varshamedi, Kutch 370110.

**V e r s u s**

**OPPONENTS**

Serious Fraud Investigation Office  
6th Floor, Fountain Telecom Building-1,  
Nr. Central Telegraph Office,  
M.G. Road,  
Mumbai 400001.

**Subject :- Application seeking Passport for renewal purpose..**

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**APPEARANCE**

Ld. Adv. Mr. C.H. Koshti for the applicant.  
Ld.Spl. P.P. Mr. S.K. Gupta for the opponent.

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**ORDER**

1. This is an application filed by applicant seeking Passport for renewal purpose.
2. Ld. Advocate Mr. C.H. Koshti appearing for the applicant submits that applicant was enlarged on anticipatory bail by Hon'ble High Court of Gujarat vide order dt. 29/11/2021 recorded in CRMA No. 2900/2020 in connection with complaint filed against the applicant/accused by the opponent with suitable conditions. As per the bail condition No.3 applicant deposited his Passport before the Court. It is submitted that passport of the applicant expired on 10/2/2026. Trial against the applicant is pending before this Court. The applicant is businessman and may needs to travel abroad for business purpose, therefore, he wants to renew his Passport and wants to initiate procedure for the same. It is therefore urged that Passport of the applicant be released for renewal purpose and urged to allow the application.
3. Ld. Junior Advocate on behalf of Ld. Spl. Public Prosecutor Mr. S.K. Gupta submits that appropriate order may be passed with regard to prayer for renewal of Passport.

4. Heard Ld. Advocates of the respective parties. This Court has gone through the application and documents annexed to it. Applicant has filed this application seeking Passport for renewal. It appears that pursuant to condition no.3 in the bail order dt. 29/11/2021 recorded in CRMA No. 2900/2020, applicant deposited his Passport in the Court. It appears from the copy of the Passport of the applicant that his Passport expired on 10/2/2026 and now he wants to renew the same. It appears that applicant has made application before the Passport Authority for renewal and is given appointment on dt. 27/3/2026. It appears that earlier passport of the applicant was released and applicant was permitted to travel abroad for limited period. The opponent prosecution has not brought anything on record of having breached/flouted any bail conditions imposed by Hon'ble High Court of Gujarat.
5. The issue with regard to issuance of the Passport has been made clear by the Notification issued by Ministry of External Affairs dated 25/8/1993. The Hon'ble High Court in the case of *Vipulbhai Chandulal Thakkar vs The Regional Passport Office* has observed in para 9 and 10 of order dated 1/5/2025 in *Spl. Civil Appl. No.3460/2025* as under:

*9. Though the said decision is not binding on this Court, it has certainly a persuasive value. In the considered opinion of this Court, the ratio of the said judgment squarely applies in the facts and circumstances of the present case. The Central Government has issued a Notification by exercising powers vested in it under Section 6(2)(f) of the*

*Passport Act, 1967 being GSR Notification 570(E) dated 25.08.1993. There being an ambiguity under the provisions of the Act, the Rules and the GSR Notification 570(E) dated 25.08.1993 issued by the passport authority, the Division Bench of the Bombay High Court has clarified the said ambiguity in case of Narendra K. Ambwani (supra). This Court is also of the considered opinion that the passport authorities do not have any authority to decide whether the accused has a right to travel abroad and such authority is only vested in the Trial Court which can impose conditions if an application is made seeking permission to travel abroad. This Court is of the considered opinion that the directions issued by the Bombay High Court are binding upon the passport authorities to renew the passport for a period of 10 years as per the Act and the Rules.*

*10. In view of the aforesaid reasons and observations, the respondent authorities are directed to renew the passport of the petitioner for a period of 10 years. However, it is clarified that if the petitioner has to undertake any travel abroad, he will have to make appropriate application to the Trial Court seeking permission to travel abroad, which shall impose such conditions as it deems fit and proper in case of the petitioner. If any application for renewal of the passport is made by the petitioner, the same be decided expeditiously within a period of 4 weeks from the date of such application.*

6. The **Hon'ble High Court of Gujarat in R/Cri. Misc. Appl. No.2034/2025 and in R/Cri. Misc. Appl. No.2035/2025 dt. 21/3/2025** has passed following order:

*" In view of above position and considering the facts of the case, the Regional Passport Authority is*

*directed to process the application filed by the writ-applicant herein for a Passport and issue the Passport with a validity period of 5 years, in terms of the Notification referred to above. This exercise shall be completed within a period of two weeks from the date of receipt of writ of this order."*

7. In view of facts and circumstances stated herein above, following order is passed in the interest of justice:

### **ORDER**

1. The application is **allowed**.
2. Passport of the applicant be released/handed over (after due verification) for a period of 60 days from the date of this order (for renewal purpose only) on deposit of **Rs.1,00,000/-** by the applicant in Cash or in manner of FDR before Nazir, District Court. If applicant has already deposited amount of surety of about **Rs.1,00,000/-** or more in cash in the Court and has not taken back the said surety, then he need not to deposit the additional surety/cash security.
3. Applicant is hereby permitted to get his Passport renewed as per the prevailing norms so far as **Spl. Company Case No.1/2020** is concerned.
4. The Regional Passport Authority may renew the existing passport of the applicant in terms of notification/circular of Ministry of External Affairs dated 25/8/1993, if there are no other legal impediments.
5. The applicant shall surrender/redeposit his renewed passport **before the Court** immediately on getting it at his end or within **60 days**, whichever is earlier.

- \* The applicant will be entitled to refund of the Security deposit made pursuant to this order after he redeposit passport before the Court. The applicant shall produce document of having redeposited the Passport with the Court before the Nazir, District Court and need not to file separate application for refund.

This order be intimated to the concerned passport authority.

Pronounced and signed in the open Court today.

Date: 13/3/2026

**(Kamal M. Sojitra)**

Principal District & Sessions Judge

Ahmedabad (Rural).

(Code : GJ01494 )

vsb

