



Filed on :03/03/2026
Registered on:03/03/2026
Decided on :11/03/2026
Duration : Y M Days
- - 08

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS
JUDGE, AHMEDABAD (RURAL)**

CRIMINAL MISC. APPLICATION NO. 645 OF 2026

Exh.

APPLICANT:

Priyeshkumar Anilkumar Sinha
Age: 39 years, Occupation : Comedian,
Residing at: Ujjain Tola Ward No.17/21,
Betiah, Panchim, Champaran, Bihar.

V/s.

OPPONENT :

State of Gujarat.

Sub:Application seeking permission for releasing passport and permission to travel abroad.

Appearance:

Mr.H.K.Jadav, Learned Advocate for Applicant.

Mr.P.M.Trivedi, Ld. Public Prosecutor for Opponent - State.

-: J U D G M E N T :-

1. The applicant has preferred the present application under Section 483(1)(b) of The Bharatiya Nagrik Suraksha Sanhita, 2023 (hereinafter referred as 'BNSS') seeking permission for releasing his original passport to apply for traveling to United States of America for the period from 19/03/2026 to 30/03/2026.

2. Ld. Advocate Mr.H.K.Jadav appearing on behalf of the

applicant submits that in connection with FIR bearing C.R.No.3 of 2020 registered with CID Crime Ahmedabad Zone Police Station for the offences punishable under Section 406, 409, 420, 120(b) of IPC, Section 3 of the GPID Act, Section 4, 5, 6 of The Prize Chits and Money Circulation Scheme (Banning) Act, the applicant was enlarged on regular bail by this Hon'ble Court vide order dated 25/10/2023 in CRMA No.3903/2023 with certain conditions including Condition No.5 as under:

"5. The accused person shall not leave the territory of India without the permission of this Court and surrender his passport before this Court within a week of his release from the jail, if he possesses and if he does not have, in that case, an affidavit be made to that effect before this Court."

2.1 Ld. Advocate appearing on behalf of the applicant submits that in compliance of the aforesaid condition, the applicant has deposited his passport before this Hon'ble Court. Applicant is a professional Comedian and Performing Artist by occupation and earning his livelihood through live stage performances, cultural events and international shows and his professional engagements require occasional overseas travel, strictly for lawful and temporary purposes. Applicant has been formally invited to United States of America to attend and perform at the Bihar Diwas 2026 Cultural Event, scheduled to be held on 22/03/2026 at Fremont, California, wherein, the applicant is invited as Chief Guest and Performing Artist. As per the invitation and itinerary, applicant proposes to travel to the United States for a short and fixed duration from 19/03/2026 to 30/03/2026 after which he shall return to India immediately. On earlier occasion, applicant has filed application before this Hon'ble Court to release his passport for obtaining Visa for USA and the same was allowed

by this Hon'ble Court vide order dated 28/01/2026 in CRMA No. 195/2026. After obtaining Visa of USA, applicant had deposited his passport before this Hon'ble Court vide Safe Custody No. 87/2026. Now to travel abroad with permission of this Hon'ble Court, present application is filed. The applicant is ready to abide by any stringent conditions that may be imposed upon the applicant while granting the present application. He has relied on documents placed on record vide list Exh.3, 6 and accordingly urged to allow the application.

3. Ld. Public Prosecutor Mr.P.M.Trivedi appearing on behalf of the Opponent has opposed the grant of present application. He has filed affidavit of I.O. vide Exh.5. He submits that the applicant's passport may not be released and applicant may not be permitted to travel abroad as it pose a significant risk of the applicant evading justice/trial process. He submits that chargesheet is yet to be filed against the applicant – accused and co-accused persons are yet to be arrested. It seems that applicant is wishing to leave before the conclusion of investigation and/or trial and may not be available for trial, on the pretext of attending cultural event at United States of America. He submits that if the passport of the applicant is released, it may hinder the proceedings of the present case. There is every possibility that applicant may flee and never return to the country till completion of trial. He has relied on the report filed by the I.O. (Exh.5) and has urged to reject the application.

4. Heard Ld. Advocates for the respective parties. The Court has gone through the application, documents annexed with it

(Exh.3, 6), reply filed by the I.O. (Exh.5) and case papers. It appears that applicant was granted regular bail by the Ld. Predecessor Court vide order dated 25/10/2023 recorded below CRMA No.3903/2023 with certain conditions including condition no.5 that “5. *The accused person shall not leave the territory of India without the permission of this Court and surrender his passport before this Court within a week of his release from the jail, if he possesses and if he does not have, in that case, an affidavit be made to that effect before this Court.*” Applicant intends to attend and perform at the Bihar Diwas 2026 Cultural Event, scheduled to be held on 22/03/2026 at Fremont, California, wherein, the applicant is invited as Chief Guest and Performing Artist. It transpires from the document placed on record i.e. Mark 6/1 i.e. Flight tickets of applicant that applicant is about to leave on 18/03/2026 and is about to return back on 01/04/2026. It also transpires from the document placed on record vide Mark 6/2 i.e. invitation letter that applicant is invited for the said event. The opponent / prosecution have not brought on record breach of any conditions committed by the applicant. Thus, considering the above facts and circumstances of the subject matter it would be just and proper, if the permission as prayed for is granted to the applicant to hold passport and permission to travel to abroad by imposing stringent conditions. Hence, in the interest of justice following order is passed.

-: ORDER :-

1. The present application is hereby **allowed**.
2. The concerned Nazir is hereby directed to release the passport of the applicant to the applicant after due

verification from the date of this order i.e. 11/03/2026 to 30/03/2026 with permission to travel abroad i.e. United States of America from 19/03/2026 to 30/03/2026 subject to following conditions :-

- i. The applicant shall deposit Rs.1,00,000/- in Cash or in manner of FDR before the Nazir, District Court; However, if he has already deposited amount of surety of 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 surety.
- ii. The applicant shall inform the concerned I.O. as well as this Court in advance, before he intends to visit foreign country;
- iii. The applicant shall declare and provide detailed address of his stay at the foreign country (itinerary) during the aforesaid period, contact details to the concerned I.O. as well as this Court;
- iv. The applicant shall give undertaking that he shall remain present at the time of conducting the investigation and/or trial as and when his presence is required and the investigation and/or trial shall not be hampered on account of his non-availability or absence;
- v. The applicant shall not utilize his passport for the travel beyond the period and place for which permission being granted under this application;
- vi. The applicant shall surrender his passport before the Court immediately, within one week on completion

of the aforesaid period;

- vii. Registry / I.O. will keep copy of passport and undertaking from the applicant that he will return the passport within one week on completion of aforesaid period.
- viii. The applicant will be entitled for refund of the security deposit after he redeposit passport with the Nazir of this Court. The applicant shall produce document of having redeposited the Passport before the Nazir, District Court and need not to file separate application for refund;

Yadi be made to the concerned authorities accordingly.

Pronounced and signed in the open court today.

Date :11/03/2026
Place:Ahmedabad

(Kamal M. Sojitra)
Principal District & Sessions Judge
Ahmedabad (Rural)
U.I.Code No.GJ01494