

Registered on	11.03.2026
Decided on	02.04.2026
Duration	<u>Y</u> <u>M</u> <u>D</u> 0 0 22

**IN THE COURT OF 6TH ADDITIONAL SESSIONS JUDGE
AHMEDABAD [RURAL] @ VIRAMGAM.**

Criminal Misc. Application No.86 OF 2026
Exh.

Applicant :

Aabidkhan @ Abidmiya Hussainmiya Pathan

Age : 57 years, Occup.: Driving

R/o. : 60, Tavakkal Villa, Gyaspur,

Ahmedabad

(At present in Central Jail, Sabarmati)

Vs.

Opponent :

The State of Gujarat

Appearance:-

Mr. M. M. Patel, learned Advocate for the applicant.

Mr. H. R. Solanki, learned APP for the Opponent – State.

JUDGMENT

1. The present application is filed by the applicant/accused Aabidkhan @ Abidmiya Hussainmiya Pathan against whom case has been registered vide CR No.11192017230228/2023 registered with Detroj Police Station for the offence punishable under sec.308, 379, 285, 120(b) of IPC, Sec.15(1),

15(2), 15(4), 16 of The Petroleum Minerals Pipelines Act and Sec.3, 7 essential Commodities Act and Sec.3, 7 of Damage to Public Property Act. It is submitted that SC No.32/2024 is pending for trial. Now, the applicant has filed present application for permission of issuance of new passport. The applicant wants to go for Umrah at Saudi Arabia. It is submitted that the applicant does not have passport so, he wants to apply for a fresh passport. Therefore due to pendency of aforesaid case, he has filed present application to take permission of this court to apply for a fresh passport.

2. Heard Ld. APP for the state. It is stated that if the present application is allowed and applicant gets his passport, then he might flee away. Further, he might not remain present during the trial which would affect the trial of the matter. Thus, present application is required to be rejected.
3. Heard the aforesaid arguments and perused the record. From, the record it transpires that though applicant has stated that he wants to visit Saudi Arabia for Umrah at this stage no such permission has been sought. The applicant does not have any passport. Thus, he wants to apply for a fresh passport. So, he has filed present application to get permission of this court. It is not the case of the prosecution that applicant is for any other reason prevented/disentitled from obtaining passport. Thus, following order is passed in the interest of justice.

ORDER

The present application is hereby **allowed**.

The applicant viz. **Aabidkhan @ Abidmiya Hussainmiya Pathan** is hereby permitted to apply for a fresh passport, subject to depositing **Rs.50,000/- (Rupees Fifty Thousand only)** before this Court having limited duration as per applicable provisions and further subject to following conditions:

Conditions:-

1. The applicant shall surrender his passport before this Court within seven days of getting the same.
2. The applicant shall not use his passport and shall not misuse the same in any manner.
3. It is further clarified that applicant is not entitled to travel on his passport pursuant to this order.
4. Yadi be sent to concerned court and police station accordingly.

Signed and pronounced in the open Court on 02nd day of April, 2026.

Date : 02/04/2026
Place : Viramgam.

[H. A. Upadhyay]
6th Additional Sessions Judge,
Ahmedabad [Rural] at Viramgam.
[UIC No. GJ00635]