



**IN THE COURT OF HON'BLE ADDITIONAL DISTRICT &
SESSIONS JUDGE, AHMEDABAD [RURAL] AT DHOLKA.**

Criminal Misc. Application No.65 of 2026

Exh.: _____

Applicant : **Dwigun Mukundbhai Patel**
Aged:47 Years, Occp.:Business,
R/o 17, Solitaire Bungalows,
Nr. Railway Line, Science City Road, Sola,
Ahmedabad-380060.

V E R S U S

Opponent : **The State of Gujarat.**

Subject: An Application for getting back the passport for renewal purpose.

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PRESENT:

Mr. J.B. Shah, Ld. Adv. for the Applicant.

Mr. J.C. Patel, Ld. Public Prosecutor for the State.

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::O R D E R::

1. The applicant has preferred the present application and thereby, prayed to release his passport for its renewal.
2. Heard the Ld. Advocate appearing on behalf of the applicant and the Ld. Public Prosecutor appeared on behalf of the State.
3. The Ld. Advocate for the applicant has vehemently argued that the applicant has been enlarged on regular bail in connection with the C. R. No.4/2019 registered with Bavla Police Station for the offences punishable U/s 143, 147, 148, 149, 307, 323, 324, 325 & 302 of the Indian Penal Code by the Hon'ble High

Court of Gujarat vide order passed in R/Cri. Misc. Application No.7681 of 2019 dated 08.07.2019 with certain conditions and in compliance of the condition of the said bail order, the applicant has deposited his Passport bearing **Passport No.N8937523** before the Hon'ble Court of Mirzapur which is lying before the Hon'ble Court vide Safe Custody No.92/2019 before the concerned Court. It is further argued that the validity of passport of the applicant has expired on dated 15.03.2026 and therefore, the applicant wants to renew his passport and therefore, the Ld. Advocate for the applicant has prayed to release the passport of the applicant for its renewal purpose. It is further submitted that in the present case, charge-sheet has already been filed and the applicant has complied all the conditions imposed by the Hon'ble High Court and he has never breached any conditions. It is further submitted that the validity of the passport of the applicant has expired and if the passport may be released for its renewal purpose, there is no adverse effect on the prosecution case and therefore, the Ld. Advocate for the applicant has prayed to release the passport of the applicant for its renewal purpose and further prayed to direct the Passport authority to renew the passport of the applicant for 10 years.

4. *Per-contra*, the Ld. Public Prosecutor for the State has strongly objected the present application and reiterated the facts of the report filed by the I.O. at Exh.4 and further submitted that if the passport of the applicant may be released for its renewal, the applicant is likely to flee away at abroad after renewal of

passport and will not available during the trial and therefore, the present application is required to be rejected.

5. I have gone through the application, report filed by the Investigating Agency and documentary evidence produced on record and also considered the arguments advance by Ld. Advocates for the rival parties. It prima-facie appears from the record that the applicant has been enlarged on regular bail in connection with the C. R. No.4/2019 registered with Bavla Police Station for the offences punishable U/s 143, 147, 148, 149, 307, 323, 324, 325 & 302 etc. of the IPC by the Hon'ble High Court of Gujarat vide order passed in R/Cri. Misc. Application No.7681 of 2019 dated 08.07.2019 with certain conditions and as per the condition of the said bail order, the applicant has deposited his Passport before concerned authority of the Court. The applicant has also produced the copy of the passport and it appears that the validity of applicant's passport has expired on dated 15.03.2026 and the applicant has approached before this court to release the passport for its renewal.
6. Thus, considering the facts and circumstances of the subject matter, it also appears that the opponent has not brought on record any violation of conditions as imposed by the Hon'ble High Court of Gujarat while granting regular bail. Therefore, if the passport of the applicant be released only for renewal purpose by imposing stringent conditions, it would meet with the justice and therefore, following order is passed in the interest of justice.

: - O R D E R - :

- The present Cri. Misc. Application **No.65 of 2026** is hereby, **partly allowed.**
- The concerned Court/branch/authority is hereby directed to hand over the **Passport No.N8937523** to the applicant-**Dwigun Mukundbhai Patel** and hand over the said passport for the renewal purpose only for the temporary **period of Three Months from the date of this order.**
- The applicant-**Dwigun Mukundbhai Patel** is hereby permitted to get his passport renewed as per the prevailing norms. The Regional Passport Authority may renew the existing passport of the applicant for a period provided by law if there is no other legal impediments.
- It is hereby order and directed that the applicant shall deposit his renewed passport alongwith old passport immediately **on or before completion of three months from the date of this order before this Court.**
- The applicant shall not use either old or renewed/fresh passport for travelling abroad as its being handed over back merely for the purpose of renewal only.
- In case of non-compliance, the Registry to move the Passport Authority for temporary cancellation of Passport of the applicant.
- The applicant shall not misuse the liberty.
- Yadi be made to the concerned Court/authorities accordingly.
Signed & Pronounced in the open Court on this 16th day of March, 2026.

Date :16/03/2026.
Place:Ahmedabad.
P.D.Mishra

[Naresh Girikant Dave]
Additional District & Sessions Judge,
Ahmedabad(Rural) at Dholka,
(UIC No.GJ00467.)