

GJGS030002872026



Received on : 22.05.2026

Registered on : 22.05.2026

Decided on : 22.06.2026

Duration : 31 – Days.

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BEFORE THE HON'BLE 3rd ADDITIONAL SESSIONS JUDGE,

AT UNA, DISTRICT GIR-SOMNATH,

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Criminal Misc. Application No. 103 of 2026

Exh. _____

Yahin Yakubbbhai Lattha,

Age:-26 years,

Residing at:- Una, District Gir-Somnath.

....Applicant

Versus

The State of Gujarat

....Opponent

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Appearance:-

Ld. Advocate Mr. M. A. Halai for the applicant.

Ld. A. P. P. Mr. M. K. Gohel for the opponent – The State.

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Subject:-Application for obtaining the passport.

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

1. The present petition has been filed for obtaining passport deposited by the applicant in furtherance of condition No. (6) imposed in bail order passed in Criminal Misc.

Application No. 154 of 2022 of this Court, Dated : 18-06-2022.

2. It is submitted by Ld. Advocate for the applicant that the applicant was arrayed as accused in offence registered with Una Police Station vide Crime Register No. 11186008220744/2022 for the offence punishable under Sections – 376(1)(2)(f) of the Indian Penal Code. The applicant preferred bail application before this Court and that application was granted subject to certain conditions wherein as per condition No. (6), he had to surrender his passport, if any, before the learned Trial Court and if he had no passport, then he had to file affidavit thereof and accordingly, the applicant deposited his passport.
3. It is further stated that the trial in respect of the said offence has proceeded as Sessions Case No. 19 of 2022 and vide judgment passed on 23-04-2024 by the then Sessions Court in Sessions Case No. 19 of 2022, the present applicant is acquitted from the charges leveled against him. Therefore, as the original passport of the applicant bearing passports No. N-6778173 is lying with the Court custody, present application has been preferred seeking custody of the original passport.

4. It is further submitted by Ld. advocate for the applicant that the trial has resulted in acquittal and no appeal has been preferred and hence, present application may be allowed.
5. Per Contra, Ld. A. P. P. has also not disputed the facts regarding the trial of accused having resulted in acquittal. However, he has shown his objection in releasing the passport looking to the gravity of offence.
6. In view of the above submissions and taking into account the documents submitted by Ld. advocate for the applicant, it is evident that the applicant was granted bail in respect of the offence registered with Una Police Station vide Crime Register No. 11186008220744/2022 vide order passed in Criminal Misc. Application No. 154 of 2022 and in accordance with the condition No.6 imposed in the bail order, original passport of the applicant is lying with the Court custody. It is also evident that the trial in respect of the said offence has been concluded and the judgment of acquittal was passed on 23-04-2024 by this Court in Sessions Case No. 19 of 2022 and till today, nothing has been brought on record by the prosecution regarding any appeal preferred against the Judgment of acquittal. Therefore, in view of the facts and circumstances of the

present case, following final order granting the present application is passed.

-:: O R D E R ::-

1. This Application is hereby **Allowed**.
2. The Nazir of this Court is hereby directed to release the original passport No. N-6778173 of the applicant surrendered in furtherance of the condition No.6 imposed in the bail order in Criminal Misc. Application No. 154 of 2022, Dated: 18-06-2022 passed by the then 3rd Addl. Sessions Judge, Una and hand over to the applicant after due verification upon receipt of this order.
3. Copy of this Order be kept with the file of Sessions Case No.19 of 2022.
4. Yadi be issued to the registry along with the copy of this order.

Signed and pronounced today in Open Court on this
22nd day of June, 2026.

Date : 22/06/2026
Una

(Sunil Mahendrabhai Govani),
3rd Addl. Sessions Judge,
Una, District: Gir Somnath.
UID : GJ00918