

IN THE COURT OF THE VI ADDL.CMM: BENGALURU

Dated this 30th day of December, 2023

**Present: Smt.Rashmi M.
L.L.B., L.L.M
VI Addl. C.M.M BENGALURU.**

C.C.No.997/2022

Complainant : The State by Mico Layout P.S., Bengaluru.

Vs/-

Accused : 1. Mohammed Mayan Khan and Others

4. Shabbira Khan @ Shabeer Khan

**ORDERS ON APPLICATION FOR PASSPORT RENEWAL AND
ISSUANCE UNDER GSR NOTIFICATION 570(E)., DATED
25.08.1993 R/W OFFICE MEMORANDUM DATED 10.10.2019
ISSUED BY THE GOVERNMENT OF INDIA MINISTRY OF
EXTERNAL AFFAIRS PSP DIVISION**

The accused No.4 has filed the present application stating that he is a peace loving and law abiding citizen of India, he has full faith in Indian Judiciary. The applicant has clean antecedents and no other criminal proceedings is pending against him except the present case in which the complainant has falsely implicated the applicant in collusion with the police just to harass him. The accused no.4 holds a passport bearing No.17961118' and the same has expired on 15.07.2021. He wants to renew the passport for the purpose of traveling to pilgrimage

at Saudi Arabia along with his aged old mother. For the renewal of passport and issuance of new booklet passport. He is required to furnish no objection certificate. The accused undertakes to abide by any conditions which may be impose by this court. The accused undertakes to appear before this court as and when directed by this court. Hence this application seeking direction to the passport authority and complainant police for the renewal of passport and issue a fresh booklet to the above named accused No.4 also to grant the “No Objection Certificate” for the same.

2. The Ld.APP has filed objections stating that application is not maintainable. If the accused no.4 is permitted to leave the country it will be difficult to trace him in other countries. Hence prayed that the application be rejected.

3. Heard both sides.

4. Following points arise for consideration :-

1. *Whether the accused no.4 has made out a ground to renew passport?*
2. *What Order?*

5. Following are the findings to the above points :-

Point No.1 : Affirmative.

Point No.2 : As per final order for following :-

REASONS

6. **Point No.1**: I have considered the application along with the objection filed. Applicant/accused no.4 wants to visit Saudi Arabia along with his aged mother and to renew passport he requires permission of this court. In this regard he has filed an affidavit. In this regard it is pertinent to note that, criminal court can grant permission to renew the passport for the accused and copy of the said order has to be furnished before the concerned authority.

7. The offences alleged against the accused under sec.506, 387 r/w sec. 149 of IPC and trial is pending before the court. The accused no.4 has filed the application stating that he requires to renew passport as he intends to travel to Saudi Arabia along with his aged mother. At this stage obtaining passport by accused no.4 will not adversely affect the case of the prosecution. As such accused no.4 is permitted to renew his passport as per law. Accordingly, I answer **Point no.1** in the **Affirmative**.

8. **Point No.2:-** For the reasons stated and findings given on point No.1, following is:

ORDER

The application filed by the accused no.4 seeking permission to renew the passport is allowed.

The regional passport office may renew the passport as per law.

(Dictated to the stenographer, typed by her directly on computer, revised and then corrected by me and then pronounced in open court on this the 30th day of December, 2023).

(RASHMI M.)
VI ACMM, Bengaluru.