

MHTH010035412024



**SESSIONS CASE NO. 188/2024**

**State of Maharashtra Through Navghar P. S. Dist. Thane Vs.  
Vijay Pandurang Khandare & 1**

**ORDER BELOW EXH.39.**

- 1] The present application is filed by the accused No.2 **Siddhesh Vijay Khandare** to grant of permission for issuance / renewal of passport to him.
- 2] Heard both sides. Perused case and I.O. Say Exh.41.
- 3] Accused No.2 is submitting that he is permanent resident of Mira Road (E), Taluka & District Thane and has been residing along with his family members. It is further submitted that now accused No.2 intends to visit abroad. The accused No.2 undertakes to be present for trial before the Court. Hence, prayed to grant permission for issuance / renewal of passport.
- 4] Investigating Officer has filed Say Exh.27 and objected the application and submitted that the nature of offence is serious and if the accused is granted permission for passport, he will abscond and never appear for trial. Hence, prayed for rejection of the application.
- 5] In view of case law - *Samip Vs. UOI & Ors. 2016 DGLS (BOM) 1845*, wherein the Hon'ble High Court in para 11 (a) has directed the

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Passport Authority to grant passport for ten years if the applicant is qualified for it.

6] Considering above all facts and circumstances, it appears that the above sessions case is pending against the accused No.2 and the trial of the case is not yet began and there is no likelihood that the trial may commence and finish in near future. The accused No.2 is permanent resident of Mira Road, Taluka & District Thane and in view of the above case law ***Samip (Supra)*** it will be justifiable to allow the accused No.2 to grant permission for issuance / renewal of passport for ten years, if he is not otherwise disqualified. I accordingly pass the following order :-

**ORDER**

1. The application Exh.23 is hereby allowed.
2. The accused No.2 **Siddhesh Vijay Khandare**, is hereby permitted to apply for issuance /renewal of passport to the concerned Passport Authority on condition that he shall take prior permission of the Court to go abroad, whenever required.
3. The Passport Authority shall consider the application of accused No.2 **Siddhesh Vijay Khandare** for issuance / renewal of passport and issue it to him for the period of ten years, if he is not otherwise disqualified.
4. Issue letter to the concerned Passport Authority accordingly.

Thane.  
Date :- 23.04.2026.

( A. S. Bhagwat )  
Additional Sessions Judge, Thane.