

MHTH270004602026

Session Case No. 26/2026

**The State of Maharashtra
Rabale MIDC Police Station
Vs.
Dr Noman Ibrahim Attar**

ORDER BELOW EXH. 6

1. This is an application filed by applicant-accused **Dr. Noman Ibrahim Attar** for giving no objection for renewal of the passport.
2. The applicant-accused is charged for the offences punishable under section Dr. Noman Ibrahim Attar.
3. The applicant-accused submitted that he is an innocent person and has been implicated in a false case. The trial will take its own time to conclude. During pendency of trial, he wish to travel abroad. However, period of his previous passport is about to expire. Thus, he wish to apply for renewal of passport. The Passport Authorities however asked him to obtain an order of “no objection” from the Court before doing so. He urgently requires passport for traveling abroad. He is permanent resident of Mumbai. He is a respectful person and having deep roots in the society and there is no likelihood of him fleeing out of India. He will not leave the country without first taking permission from the Court. He shall not flee from the justice. He never committed breach of bail conditions. It is therefore requested to grant him permission to apply for renewal of passport.

4. The Ld. A.P.P on other hand strongly resisted the application by filing his Say. He contended that if the applicant is granted permission as prayed then he would flee away and may not be available for trial. It would cause hindrance in conclusion of trial. He therefore requested to reject the application.

5. Heard both sides. In view of notification of Ministry of External Affairs, Government of India dated 25.08.1993, for getting a passport by the person against whom a criminal case is pending, the permission of concerned Court is required. For considering the period for which a passport can be obtained, I am guided by the decision of the Hon'ble Bombay High Court in ***Mangal Prabhat Lodha Vs. Union of India [2023 (2) BOM.C.R. (Cri) 807]*** wherein it is held that the passport can be issued ordinarily for 10 years in view of Rule-12 of the Passport Rules and the reasons shall be recorded for restricting said period. In view of the same, the permission as sought can be granted provided there are no other reasons to restrict said period. In so far as present case is concerned, it appears from record that the present case is pending for Charge. The trial would take its own time to conclude. There is nothing on record to show that the applicant has breached bail conditions. In such circumstances, the applicant-accused may be granted permission to apply for renewal of passport.

6. For the aforesaid reasons, I am inclined to allow present application on certain conditions and accordingly proceed to pass following order :

ORDER

1. The application is allowed.
2. The applicant-accused Dr. Noman Ibrahim Attar is granted permission to apply for renewal of passport for the period of 10 years, subject to the provisions of Passport Act and Rules & Notifications issued thereunder by the Ministry of External Affairs, Government of India from time to time.
3. The applicant, after receipt of the passport, shall submit one self attested copy thereof on the record of this Court.
4. The applicant shall obtain prior permission of this Court before proceeding on Foreign tour.
5. The application is accordingly disposed-of.

Sd/-

(Makarand R. Mandawgade)
Additional Sessions Judge,
Belapur, Navi Mumbai.

Date : 31/07/2026