

MHAH030012242023



RCC NO. 105/2023

The State of Maharashtra
Vs.
Arif Rafiyaodin Shaikh

ORDER BELOW EXH.33

Akil Rafiuddin Shaikh (accused No.3) has moved present application for grant of no objection for renovation of passport for next ten years.

2. It is the contention of the accused that earlier he has obtained passport bearing No. H7676077 which has been expired on 04/11/2019. Now, he intends to visit his religious place Saudi Arabia. Therefore, for the renovation of his passport no objection certificate is required.

3. Ld. APP opposed the application on the ground that the case is triable by the Court of Sessions. Considering gravity of the offence presence of accused is necessary at the stage of trial. Hence, prayed to reject the application.

4. Heard both sides.

5. Perusal of the application and submissions therein, the accused only want no objection for renovation of his passport. It is pertinent to note that without obtaining VISA the accused cannot go abroad. Mere obtaining passport does not mean that the accused is traveling abroad. For that purpose the accused will have to obtain permission of this Court. The accused has filed copy of his earlier passport bearing No.H7676077. Therefore, it is not the case that for the first time he is seeking passport. Admittedly, the offence alleged against the accused is serious in nature. But the trial is yet to be commenced for want of presence of other accused. Hence, mere granting permission to renew passport will not cause prejudice to prosecution. Therefore, it would be not proper to prevent the accused from obtaining passport. Hence, the order.

ORDER

1. Application is allowed.
2. No objection is granted for renewing of passport to the present accused No.3 Akil Rafiuddin Shaikh, subject to conditions that-
 - a) if the accused want to travel abroad, he shall get prior permission of this Court.
 - b) he shall not misuse this no objection for any other purpose except the purpose for which it is granted.

Ahmednagar.
Date :- 11/09/2025

(L. S. Padhen)
Chief Judicial Magistrate
Ahmednagar