

ORDER BELOW EXH.NO. 26 IN CRI. M.A. NO. 257/2023

CNR NO. MHAH210010702023
(Priyanka & Anr. Vs. Rahul & Ors.)

This is an application filed by the applicant/respondent No. 4 namely Dnyaneshwar Baban Suryawanshi for permission to renewal of his passport.

02. Perused the application and say filed by the Ld. Adv. Shri. E. A. Pathan for original applicant.

03. Heard Ld. Advocate Shri. P. J. Thorat for the applicant/respondent No. 4 and Ld. Adv. Shri. Pathan for original applicant. Learned advocate for applicant relied upon *Shiney Suraj Ahuja Vs. State of Maharashtra, Criminal Appeal No. 297/2011*, in which Hon'ble Bombay High Court by considering the Gazettee notification issued by the Central Government vide GSR No. 570(E), dated 25.08.1993 and allowed the application of petitioner on some conditions.

04. It is submitted on behalf of applicant/respondent No. 4 that, his passport was expired on 21.08.2024. In that regard, he has filed a verified copy of the expired passport. Per contra, Ld. Adv. Shri. Pathan for original applicant prayed to reject the application.

05. Considering the fact and circumstances, it appears that the present respondent is alleged to have committed an act of domestic

violence. The validity of passport of applicant/respondent No. 4 was expired on 21.08.2024. There would be no any harm to the original applicant merely getting renewal of passport by the respondent No. 4. It is pertinent to mention here that, matter is pending for filing say on original application by defendants. The learned counsel for the respondent ready to conduct the trial in his absence. According to respondent, for his business expansion training and for travelling abroad, he requires passport. Therefore, considering the *Shiney* (supra), it would be just and proper to give the permission to present respondent for renewal the passport, as it will not cause any prejudice to original applicant. Therefore, it would not be proper to give permission at this stage for renewal of passport for the period of 10 years. The respondent has granted liberty to approach this Court after renewal of passport for getting permission to go abroad when he required. So, in the interest of justice it is necessary to permit the applicant/respondent no. 4 to renew his Passport. However, it is also necessary to impose certain conditions while getting renewal of his Passport. Hence, following order is passed.

ORDER

01. Application is partly allowed.
02. Applicant/respondent No. 4 is permitted to get renewal of his passport for 5 years from the Passport

Authority of India as per the rules.

03. Applicant/respondent No. 4 shall not leave India without obtaining prior permission of the Court.

Date : 10.12.2024

(V. V. Joshi)
Judicial Magistrate F.C.
Jamkhed