

MHAH220007862018
ORDER BELOW EXH.56
(Passed on 06/08/2025)

The present application is filed by the accused named Gokul Balbhim Irkar (Accused No.4) permission to obtain new passport.

2. The accused contended that he has permanent residence at Potegaon, Tal. Karjat, Dist. Ahmednagar and he is engaged in tissue culture and Earthmovers business. He is a reputed person in his village. His relatives are settled in abroad. Therefore, he has to go abroad to meet them as well as to get new information for expansion of his own business. When he made application to get new passport from passport authority, the passport authority informed him that if there is any case pending against him, a court order would be required.

3. There are two cases registered against him i.e. RCC No. 148/2018 and RCC No. 15/2023. No other cases have been registered against him. The applicant will not misuse the passport in any manner. The applicant needs to visit his relatives abroad. Also, the accused is engaged in farming. For establishing a tissue culture business, it is necessary to travel abroad to gain knowledge about farming techniques. The said cases are registered out of political rivalry. He is ready to abide the condition which may be imposed by the court. Hence, filed this application.

4. Say of APP was called. The APP Mr. D. R. Baviskar filed his say overleaf of the present application, wherein, he submitted that a crime has been registered against accused at Karjat Police Station under Section 323, 324, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code, FIR No. 381/2017, and the said case is pending in court. If this application is granted, the possibility of the accused absconding cannot be denied. Due to

the absence of the accused, the inquiry may be prolonged. It is necessary to go abroad, but the applicant has not attached any documentary evidence in this regard. Therefore, APP prayed to reject the present application.

5. Heard advocate Mr. M. R. Anarase for the accused named Gokul (Accused No.4). Also heard APP Mr. D. R. Baviskar for the state.

6. It is the contentions of the accused named Gokul (Accused No.4) that he is in need of passport to go to abroad. In the instant application he is not seeking permission to go abroad. Further, it appears that there is no restriction imposed upon the accused to go abroad. Therefore, considering the facts and circumstances if permission is given to the accused named Gokul (Accused No.4) for obtaining new passport, itself would not affect upon hearing of the matter. Therefore, in such facts and circumstances present application of the accused named Gokul Balbhim Irkar (Accused No.4) deserves to be allowed. Hence, I proceed to pass following order :-

O R D E R

1.	The application is hereby allowed.
2.	The accused named Gokul Balbhim Irkar (Accused No.4) is hereby permitted to get passport from competent authority.
3.	The permission is granted by considering facts and circumstances of R.C.C.No.148/2018 which is pending in this Court only.
4.	The appropriate authority may issue passport to the accused as per its rule and regulations.

Date :- 06.08.2025.

(Shri. S. N. Thapekar)
Judicial Magistrate First Class,
Court No.1, Karjat