

Order passed Below Exh. 46 in Summary Criminal Case No. 649/2020.
CNR No. MHDH070020732020.
(State Vs. Chandmal Bastimal Jain and others)

This is the application by accused no. **10 Nilesh Suresh Patil for obtaining “no objection” for the passport.**

2. Read the application and say of Ld. A.P.P at Exh. 50. Perused roznama and record of the case.
3. Accused no. 10 made this application and in support of it has given his affidavit at Exh. 47. Contentions in the application of accused no. 10 are that, he is permanent resident within Jurisdiction of this Court. He wanted to go to abroad for his business. For that purpose he requires to obtain passport. As present case is pending against him, he could not obtain the passport.
4. Read the say given by the Ld. A.P.P. Ld. A.P.P. strongly opposed this application contending that offences are of serious nature. If the permission is granted to accused no. 10, it will cause delay in the trial. Hence, Ld. A.P.P. prayed for rejection of the application.
5. Heard Ld. A.P.P. and Ld. Advocate Shri. N. S. Sonawane for accused no. 10. Accused no. 10 has stated on oath that he will not fled away anywhere and for his private business he wants to go abroad. For that purpose passport is necessary. Ld. Advocate Shri. N. S. Sonawane submitted that accused will abide all the terms and conditions which the court will grant while allowing this application.

6. After hearing both the sides, it becomes clear that the accused no. 10 is prosecuted for offences punishable u/s 269, 270 of the Indian Penal Code and under Section 12-A of Maharashtra Prevention of Gambling Act. There are total 10 accused. Case is at the stage of hearing. Particulars are framed at Exh. 33 to 42. Accused no. 10 is required to remain present whenever the court thinks that his presence is necessary for the trial. This case should not be kept pending for his traveling abroad. As accused no. 10 wants to go for trip purpose and that too not permanently, the passport authority is at liberty to grant him such passport subject to their terms and conditions. This court is giving “no objection” to accused no. 10 for obtaining passport on below mentioned terms and conditions. Hence, I pass the following order -

Order

- 1] Application at Exh. 46 is allowed.
- 2] **Passport Authority is at liberty to grant passport to accused no. 10 Nilesh Suresh Patil** subject to the conditions and the rules prescribed under the said Act.
- 3] Exemption granted to accused no. 10 from personal attendance is subject to approval of his passport and if he travels abroad during the said period only.
- 4] Accused no. 10 shall give undertaking that he will co-operate in conducting the hearing of present case and in his absence also trial will not prolonged.

Shirpur.
Date : 29.01.2026.

(Smt. Pooja N. Kokate)
Judicial Magistrate First Class (Court No. 1)
Shirpur, Dist. Dhule.
JO Code-2489