

ORDER BELOW EXH.94

1. This is an application filed by the applicant (accused no.1) for getting permission to get a new passport.
2. Applicant (accused no.1) submitted that he is residing at Badnapur, Dist.Jalna. He is facing trial for the offences punishable under Section 324, 323, 504, 506 r/w 34 of IPC, vide crime no.102/2013. He further submits that he has applied an application for getting a new passport at Pune office. He wants to go at Haj / Umrah for a religious event. He will take permission by the Court before going to Haj / Umrah, if the Court allows permission to get a new passport. He is ready to abide all conditions imposed upon him by the Court. He further submitted that if passport will not issue to him, then he will be unable to attend the religious rituals which is important in Muslim religion. Therefore, he prayed for allowing the application.
3. Learned A.P.P has filed his say below the application and submitted that if the applicant is ready to abide all terms and conditions imposed upon him, then appropriate order should be passed.
4. Perused the application and say also gone through the record. Heard learned advocate for the applicant.
5. The applicant has placed on record copy of Online Appointment Receipt and verified copy of his Aadhaar Card.

6. After perusal of record it reveals that the trial against accused begins. The offence leveled against accused is punishable under Sections 324, 323, 504, 506 r/w 34 of IPC. The investigation has already been completed and charge sheet has been filed against the accused. Applicant/accused no.1 is of local residence and he has right to go abroad and it is his fundamental right. Applicant/accused no.1 is now on bail. The possibility to flee from justice can be curtailed by imposing certain conditions on the applicant/ accused no.1. Therefore, it is necessary to allow the present application to the extent of allowing applicant/accused no.1 for getting a new passport before passport authority. In such circumstances, application is deserves to be allowed on following conditions. Hence, this Court proceed to pass following order.

-: O R D E R :-

- 1) The application is allowed.
- 2) Permission for getting a new passport is granted.
- 3) Applicant/accused no.01 namely Sayyad Jamil Sayyad Munir is permitted to travel at Haj / Umrah.
- 4) Applicant/accused no.1 is directed to remain present before the Court as and when directed by the Court.
- 5) The applicant/accused no.1 is directed to seek permission to the Court before going to abroad.

Date: 11.09.2023.

(Smt.P.V.Raut)
Judicial Magistrate F.C.,
Court No.1, Badnapur.