


MHKO110019422025 	<b><u>ORDER BELOW EXH.4</u></b> <b><u>IN R.C.C. No.251/2025</u></b> <b>State of Maharashtra</b> <b>Vs</b> <b>Ramesh Mahadev Londhe and Ors.</b>
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The present application is filed by applicant/accused No.14 Kiran Balaso Chougule under Section 5 and 6 of The Passport Act 1967 and thereby sought permission to apply for passport with a validity of 10 years.

2. Applicant/accused No.14 contends that, he is charge-sheeted for offence punishable under section 420, 409 read with 34 of IPC in R.C.C. No.251/2025. The applicant i.e. accused No. 4 is permanent resident of Vadgaon, Tal. Hatkanangale, Dist. Kolhapur. He want to go abroad for traveling purpose. The accused is present before the court on every date. No other offences are pending against the applicant/accused no.14. However, there is criminal proceeding pending against him.

3. The learned APP has filed her say at Exh.6 and opposed the applications and contended that, the applicant/accused no. 14 has charged for the offence punishable under section 420, 409 read with IPC. The offence is charged against accused is serious in nature. The documents related to application for passport authority has not been submitted. If this application is granted then trial be hampered and accused may be flee away. Hence, she prayed for reject this application.

4. I.O has filed his say at Exh. 5 and submitted that, accused is charged for an offence punishable under Section 420, 409 read with 34 of IPC with Shirolu M.I.D.C Police Station C.R. no. 15/2025. The case is pending before the court. There is no guarantee that the accused will

appear in court for further proceedings. Hence, I.O. prayed for rejection of application.

5. On perusal of record and heard the rival submission, the accused has charge-sheeted for the offence punishable under Section 420, 409 read with 34 of IPC. The charge sheet is filed against him as R.C.C. No.251/2025. However, right to freedom which guaranteed by Article 19 as well as Article 21 of The Constitution of India. As to visit abroad VISA is required. If the accused is ensuring his presence before the Court on the dates of trial and will not protract the proceeding of this matter on the reason that he had went abroad, then accused can be granted permission.

6. Accused should inform the Court or take prior permission of the Court after receipt of passport. This Court does not have any objection to grant of passport in name of accused. Further, as per the provisions of Passport Authority Act, 1967 the competent authority may grant or reject the application of accused on any other ground as it deem fit. This Court does not have any objection if it grants a passport in name of applicant/accused no. 4 Kiran Balso Chougule for one year as considering the pendency of the case and its stage. Hence, I pass following final order.

### **ORDER**

1.	Application at Exh. 4 is allowed.
2.	The applicant i.e. Accused No.4 Kiran Balaso Chougule in present case, permitted to apply for passport.
3.	The learned counsel for the applicant i.e. Accused No.4 Kiran Balaso Chougule shall proceed with the case in

	absence of accused and shall gave undertaking to that effect in this case.
4.	The applicant i.e. Accused No.4 Kiran Balaso Chougule shall take the permission from court before going to abroad or before applying for VISA.
5.	Applicant i.e. Accused No.4 Kiran Balaso Chougule shall remain present in the court during course of trial and when directed.

**Date: 27/03/2026**  
**Peth-Vadgaon.**

**( S. J. Pende)**  
**J.M.F.C., Peth-Vadgaon.**