

Regular Criminal Case No.40/2006.
Alongwith Exh. 604.

MHKO120001382006



ORDER BELOW EXH.604

This is an application filed by the accused no.27, seeking permission to renew his visa from concerned authority.

02. The applicant is accused nos.27 in this case for the offences punishable under sections 408, 420, 422, 423, 463, 464, 465 and 477 of the Indian Penal Code. As per the applicant accused no.27, he is having a married daughter, who is residing at U.S.A. with her husband and now there is possibility for visit to U.S.A. and for the same, his Visa have to be renewed by the concerned authority. Hence, this application.

03. Perused the application and say of learned A.P.P. Heard, the learned advocate for applicants and learned A.P.P. for the State.

04. The advocate for applicants submitted that they will follow each and every condition imposed by Court and they will not hamper the criminal proceeding. The learned A.P.P. filed his say at Exh.605 and contended that upon imposing condition that after getting passport from authority, applicants will deposit his passport in Court, application be allowed.

05. The pendency of a criminal case is not a bar for the renewal of the Visa, in view of the judgment delivered by the Hon'ble

High Court of Bombay in *Shyam Dwarkadas Chabira Vrs. Regional Passport Officers, reported in 2000 Cr.L.J. 2942.* The record shows that the applicant is permanent resident of Gargoti, Tal. Bhudargad. In the present case, there are in all 23 accused persons. The charge against accused persons is framed. The trial will take its own time to get completed. When the trial is not likely to be completed within near future, I do not see any reason to reject the prayer of applicant. In the result, the application is allowed in following terms. Accordingly, I pass the following order,

ORDER

1. The application is allowed.
2. The applicant is permitted to renew his Visa, subject to the prevailing rules and conditions.

Place : Gargoti.
Date : 05/12/2022.

(**V. B. Mulla**)
Judicial Magistrate F. C.,
Gargoti.