

MHND010027112019



**Sessions Case No.286/2019
State Vs. Chandpasha
Order below Exh.54
(Delivered on 30-06-2025)**

1. By this application the applicant/accused Chandpasha Mohd. Khaja Qureshi has requested to grant no objection for renewal of passport to the applicant for ten years to avoid frequent application for the same prayed.

2. In the application, he has stated that, he wishes to visit Soudi Aribia for Umrah/Haji Pilgrimage once in his life time. Ld. Advocate for the applicant has requested to grant no objection for renewal the passport for ten years to avoid frequent applications for the same prayer. The prosecution has resisted the application by filing say at Exh.60.

2. Ld. Advocate for the applicants relied on the judgment of **Hon'ble Bombay Ambwani Vs. High Court in the case of Narendra K. Union of India and others in Writ Petition No. 361/2014 decided on 13th March, 2014.** On perusal of above case law, it appears that, Court should specify the period for which the passport is issued and further, Hon'ble Bombay High Court has held as under:

"When the order speaks about renewal of the passport in terms of the Passport Rules, reference must be made to Rule 12 alone and the Passport officer was bound to issue

the passport either for a period of 10 years or for a period of 20 years as the case may be in his discretion. The Passport Officer could not have at any rate renewed the passport for a period less than 10 years. Accordingly, the Rule was made absolute and Regional Passport Officer was directed to issue the passport, renewed for a period of 10 years or 20 years"

3. So also, the Ld. Advocate for the applicant has also relied on the Office Memorandum issued by Government of India, Ministry of External Affairs, PSP Division, Patiala House Annexe, Tilak Marg, New Delhi dated 10th October, 2019. In the said Memorandum at para No.5(ii), it is mentioned that,

“Whenever an applicant is submitting a ‘No objection certificate’ (NOC) from a Court of Law in India, the applicant should be advised that undertaking as per GSR 570(E) should be complete in all respect and should mention all the pending criminal cases against the applicant.”

Considering the above principles laid down in the above cited authority and memorandum. I held that, the application can be granted by imposing stringent conditions. Hence, I pass following order;-

ORDER

- 01- The applications (Exh.,54) is allowed.
- 02- Regional Passport Officer is directed to renew passport of the accused Chandpasha s/o Mohd. Khaja Qureshi for a period of Ten years, if he complete all the formalities in all other respects.
- 03- The applicant shall not leave India without prior permission

of the Court.

04- The applicant shall furnish copy of the renewed passport within seven days from the receipt thereof.

Date;30-06-2025

(R.V. Kokare)
Extra Jt. Addl. Sessions Judge,
Nanded.

CERTIFICATE

I affirm that the contents of this PDF file order are same, word to word, as per the original order.

Name of stenographer	Balkrishna Kulkarni
Name of Court	Extra Jt. District Judge-1 & Addl. Sessions Court-1, Nanded
Date of Dictation	30-06-2025
Order signed by the P.O on	30-06-2025
Order uploaded on	30-06-2025