

MHPU090025042016 	Sate of Maharashtra
	Vs.
	Muslim Munna Shah & ors.

Order below Exh-16 in RCC No.490/2016

(Dt. 21/07/2025)

The applicant/accused no.1 namely Muslim Munna Shah has filed this application for issuing passport. The applicant/ accused no.1 want to apply for issuing passport. He is permanent resident of India. The accused no.1 is going to prefer application for issuing of passport. During inquiry in passport office it appears that criminal case is pending against him before the court. Hence, the applicant/ accused no.1 has filed present application for seeking no objection from the court for issue of the passport.

2) The ld. APP has filed her say and resisted contention of present application. According to her if present application is allowed, then there will be chances of absconding of applicant/ accused.

3) The offence p/u/s 326, 323, 504 r/w 34 of IPC in C.R. no. 509/2015 is pending against the applicant/ accused no.1.

4) I have perused section 5, section 6 & Section 22 of the Passport Act 1967. It reveals that the Government can exempt any person by notification, from the operation of any provision of The Passport Act. Therefore, in view of provision of section 5, section 6 & Section 22 of The Passport Act 1967 and

Notification Number G. S. R. 5 70(E), dated August 25 1993, published in the Gazette of India, Extra, Part II, by Ministry of External affairs, the court has power to grant permission.

5) No prejudice will cause to the prosecution if applicant/ accused no.1 is permitted to issue passport of applicant by putting some condition on him. The criminal case against accused is not related to public importance at large. The accused is already on bail. Therefore, it will be appropriate to allow the application with conditions. In the result, the following order is passed.

ORDER

1. The application is allowed.
2. This court has no objection for issue passport of applicant/accused no.1 namely Muslim Munna Shah subject to following conditions.
 - i) He Must furnish the undertaking before the court that he will remain present in the court when his presence required before court.

Date – 21/07/2025

(T.S.Mahadik)
Judicial Magistrate F.C.,
Pimpri, Pune

-: CERTIFICATE :-

I affirm that the contents of this pdf file order are same words as per original Order.

Name of Stenographer	: Mrs. N.K.Vaidya
Court Name	: T.S.Mahadik, Judicial Magistrate F.C., Pimpri, Pune
Date of Decision	: 21/07/2025
Order digitally signed by P.O. on	: 21/07/2025
Order uploaded on	: 22/07/2025