

	RCC No. 59/2016
	State V/s. Sharad
	CNR No.MHPU20-000186-2016

Order Below Exh.39

This is an application filed by applicant/accused **No.1 Sharad Dattatray Mandhare** for seeking renewal of his passport.

2. Perused the application, it appears from record that, the accused is charged for the offence punishable under **Section 420, 406, 447, 343, 504 and 506** of the Indian Penal Code. The case is pending for the hearing. The present applicant is permanent resident within the jurisdiction of this Court. He has submitted that, he is ready to abide with all terms and conditions which will be imposed by this Court. As he wants to go to abroad for advance technology regarding business, hence, prayed to allow the present application for renewal of his passport.

3. Learned APP filed his say overleaf of this application. He submitted that application may be allowed subject to the condition that accused will expedite trial through his advocate.

4. Read the application and say. Heard. On perusal of record it shows that, the case is pending for hearing. Applicant sought renewal of his passport to go abroad. The applicant has stated on an affidavit that,

he is resident and his immovable property situated within the jurisdiction of this Court. Hence, there is no chance of his absconding, if he permitted to go abroad. Thus, I am of the opinion that, it would not be proper to reject the application for pendency of case against him. There is no possibility of his absconding or settling in foreign country. Considering the prayer, it can not be said that the matter would unnecessarily prolong. I, therefore see no reason to refuse renewal of passport of the applicant/accused to go abroad. Hence, the order :-

ORDER

1. The application is allowed.
2. The passport of applicant/accused **Sharad Dattatray Mandhare** is permitted to be renewed for the period of 10 years from the date of its issuance.
3. Passport Authority while renewing the passport of the applicant follow the guidelines issued by the Hon'ble Bombay High Court in the case of *Narendra K. Ambwani V/s. Union Of India And Ors. (W.P NO. 361/2014)*
4. The Regional Passport Officer is at liberty to renew the passport to the applicant/accused **Sharad Dattatray Mandhare** as per rules, the Court has no objection to renew the passport to him.
5. Before leaving India, he is directed to furnish his postal address where he intent to stay.
6. Upon Securing the passport a notarized copy of the passport shall be furnished to this Court within a period of 30 days from its

issuance.

7. In the event applicant to travel outside India, he shall file a written application (with his detailed travel program, address abroad and contact numbers), before the Court and secure necessary orders prior to his departure.
8. Inform to the concerned police station and Passport Authority accordingly.

Date – 28/06/2024.

(T. S. Wakdikar)
Judicial Magistrate First Class,
Ghodnadi-Tq.Shirur, Dist. Pune.