

MHPU200008302020



R.C.C.NO.200/2020

State of Maharashtra

Vs.

Aniket Sanjay Gavhane and Ors.

ORDER BELOW EXH.37

1] This application is filed by applicant accused No. 4 namely ***Kiran Rajaram Gavhane*** for seeking no objection to obtain passport.

2] It is contended by the applicant accused No. 4 namely ***Kiran Rajaram Gavhane*** that he is arrayed as accused in the complaint bearing No. RCC No.200/2020 for commission of the offence punishable U/sec. 326, 324, 323, 504, 506, 143, 147, 148 read with Section 149 of Indian Penal Code, 1860. The Investigation in this this Crime has completed and matter is pending before the Court. Accused is permanent residence of Dingrajwadi, Koregaon Bhima, Tal. Shirur, Dist. Pune. Accused is an agriculturist and for the purpose of collecting information of new technology in respect of agriculture he intent to go abroad. Therefore, he required to obtain new passport for the period of ten years. The applicant is law abiding citizen and permanent resident of Shirur, Pune. If permission is not granted, then the Passport Office will not allow to obtain passport and he would be deprived from the right to travel abroad. Hence, he prayed to grant no objection for to obtain Passport.

3] Per contra, the learned A.P.P. submitted that the matter will prolong for indefinite period. If the date of journey/period will be conveyed, then application can be allowed, otherwise it can be rejected.

4] Heard, both the learned advocates at length. The learned advocate for accused is ready to conduct the case in absence of accused.

5] The applicant has every right to travel abroad. His individual liberty cannot be curtailed due to the present pending case only. He has furnished surety so his presence can be secured in future.

6] In view of the documents filed on record, the application deserves to be allowed by imposing some conditions. Resultantly, I proceed to pass the following order :-

ORDER

1. The application is hereby allowed.
2. Applicant *accused No. 4* namely ***Kiran Rajaram Gavhane*** is permitted to obtain passport for the period of 10 years .
3. The accused shall remain present as and when required by this Court on given dates from time to time during trial.
4. The accused shall obtain the permission from this court before he departure from India or travel abroad.
5. The accused shall file affidavit to the effect that the trial will not be protracted due to his travel to abroad.

Date: 23/03/2026

Place: Shirur.

(Sanjay D. Wankhede)

Judicial Magistrate First Class, Court No. 2,
Ghodnadi, Shirur, Pune.