

	RCC No.205/2020
	The State of Maharashtra Vs. Mangaldas & Ors.
	CNR No.MHPU200008422020

ORDER BELOW EXH.7
(Passed on 21/11/2024)

01. The present application is filed by applicant/accused No. 4 **Ramhari Shankar Daundkar** by seeking the prayer for issuing no objection to passport authority for renewal of his passport.
02. I have perused the application and say of ld. APP for State given overleaf of this application. Heard.
03. It is stated that, applicant/accused is facing the trial for the offence punishable under **Section 420, 406 r/w 34 of IPC**. The charge sheet is filed and matter is pending for hearing. It is further stated that he is suffering from diabetes, blood pressure and kidney infection, Prostate Cancer. For the said medical reason in future he may require to go to abroad. The applicant/ accused was having passport. However that is required to be renewed. Due to the present case is pending against him, he requires no objection of this court to passport authority for renewal his passport. He wants to renew his passport and for that he has filed the application for renewal of his passport.
04. On the other hand ld. APP for state has submitted that application may be rejected as charge is not framed yet. Possibility of accused not remaining present in Court cannot be denied.
05. The applicant/ accused has filed affidavit in support of his application. He stated that he is an agriculturalist and he resides

within the jurisdiction of this Court. His Learned Counsel has submitted that accused requires to renew his passport. For medical treatment, accused may go to abroad in near coming days. Thus, there is no chance of his absconding if application is allowed. Hence, 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. I, therefore see no reason to refuse application of applicant/accused.

06. In the case of **Narendra K. Ambwani Vs. Union Of India And Ors. W.P.No. 361 Of 2014** it is observed that ;

In all cases where the Magistrate's court directs renewal of passport under the Rules, the Passport Rules, 1980 shall apply and passport other than for a child aged more than 15 years shall be renewed for a period of ten years or twenty years as the case may be from the date of its issue. All qualifying applicants are entitled to have passport renewed for atleast ten years. The regional passport office shall renew the passport of such qualifying applicants at least for 10 years.

07. Thus, considering the observation laid down in the above cited judgment and facts of the case, I deem it just to allow the application for renewal of passport for the year 10 years. Thus, I pass following order;

ORDER

1. The application is allowed.
2. The passport of applicant/accused No. 4 **Ramhari Shankar Daundkar** 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 Vs. Union Of India And Ors. (W.P NO. 361/2014)*
4. The Regional Passport Officer is at liberty to renew the passport of the applicant/accused No. 4 **Ramhari Shankar Daundkar** 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 – 21/11/2024.

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

CERTIFICATE

I affirms that the contents of this P.D.F file order are same word for word as per original order -

Name of the Court	:-	T. S. Wakdikar, Judicial Magistrate First Class, Ghodnadi (Shirur) Pune
Name of the Steno	:-	Snehal S. Gade
Date of Order	:-	21/11/2024
Order signed by presiding officer	:-	21/11/2024
Order uploaded on	:-	21/11/2024