


MHPU200013612025 	<u>R.C.C.NO.353/</u> <u>2025</u>	State of Maharashtra Vs. Nilesh & Anr.
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ORDER BELOW EXH.28

1] This application is filed by applicant/accused **No. 1 Nilesh Mahadev Darekar** for seeking no objection to obtain passport.

2] It is contended by the applicant/accused **No. 1 Nilesh Mahadev Darekar** that he is arrayed as accused in RCC No.353/2025 registered at Police Station Shikrapur vide Cr.No.120/2023 for commission of the offence punishable U/sec. 384, 386 r/w. 34 of the Indian Penal Code. Now, the charge-sheet is filed against accused. The applicant/ accused is law abiding citizen and permanent resident of Sanaswadi, Tq. Shirur, Dist. Pune. It is further contended that accused that he does the agriculture business. It is further contended that accused that he does the business and for that purpose he wants to go to abroad for seeking the new information. 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] Learned APP filed say and opposed the application contending that there is possibility of his absconding and case may prolong for indefinite period.

4] Heard, both the learned advocates at length. The learned advocate for applicant/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

01. Application is allowed.
02. Permission is granted for issuing the passport to the applicant/accused **No. 1 Nilesh Mahadev Darekar** resident of Sanaswadi, Tq. Shirur, Dist. Pune.
03. The Regional Passport Officer is at liberty to grant passport to the applicant/accused **No. 1 Nilesh Mahadev Darekar** as per rules, the Court has no objection to grant passport to him.

04. Before leaving India, he is directed to furnish his postal address where he intent to stay.
05. 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.
06. In the event applicant to travel outside India, he shall file a written application (with his detailed travel program, address abroad and contact members), before the Court and secure necessary orders prior to his departure.
07. After returning back, he shall intimate this Court.
08. The accused to undertake that, the matter will be looked into in his absence through his Ld. Counsel.

Date: 13/02/2026
Place: Shirur.

(Chandramohan M. Kharkar)
Judicial Magistrate First Class,
Ghodnadi, Shirur, Pune.