

CNR:MHPU20-002938-2023

Order Below Exh.8

This is an application filed by applicant/accused No.5 **Dattatray Dagdu Gadadare** for permission to issuance passport under Passport Act. It is submitted that, Cri. M.A. No.390/2023 is pending against him under section 406 r/w 34 of IPC. It is contented that accused is doing job and he wants to go abroad for learning new technology. The accused No.5 applied for passport to the passport authority Pune. But as the case is pending against him so the concerned office not issued passport to the accused. Therefore, he has prayed for no objection certificate for issuance of passport.

02. Complainant filed his say and submitted that, the contentions in respect to go abroad is not clear in the application. In case Court feels to allow the application then appropriate terms and conditions may be imposed.

03. Read the application and say. Heard Ld. Advocate for the accused No.5 and Ld. Advocate for the complainant. Perused material on record.

04. The Hon'ble Supreme Court in the case of *Satwantsing Sawhney vs. D. Ramarathnam Asst. Passport Officer A.I.R. 1967* Supreme Court 1836 laid down the guidelines for permission to the accused to go abroad on certain terms and conditions. Therefore, during pendency of criminal case the accused can go abroad.

05. On perusal of record it shows that this is the private complaint filed under Section 406 r/w 34 of the IPC. The case at hand verification of the

complainant is yet to be done. The trial will take considerable time to conclude. The accused No.5 is doing job and wants to go abroad for learning new technology. He is ready to appear before the Court time to time when he returns back. Therefore, I am of opinion that the application is liable to be allowed on terms and conditions. Hence, I pass following order-

ORDER

01. Application **Exh.8** is allowed.

02. The permission is granted to the accused **No.5 Dattatraya Dagadu Gadadare** for going abroad. The Regional Passport Officer is at liberty to issue passport as per the rules, this court has no objection for issuance of passport subject to following conditions -
 - a) The accused No.5 shall furnish P.R. Bond of Rs. 15,000/- (Rs. Fifteen Thousand) with one surety like amount.
 - b) The accused No.5 is directed to submit his detail tour program and place of visit and his contact number during said period.

03. The concerned passport authority shall consider application of accused No.5 in respect of passport subject to rule prevailing the provisions of passport act for issuance of passport.

04. After returning back he shall intimate this Court.

(P. S. Sonkamble)

Date – 17/05/2025

I/c. Judicial Magistrate First Class,
Ghodnadi, Tq.Shirur, Dist.Pune.

CERTIFICATE

I affirm that the contents of this P. D. F. file Order are same word for word as per original Order.

Name of the Court	:-	P. S. Sonkamble Judicial Magistrate First Class, Ghodnadi (Shirur)
Name of the Steno	:-	V.M. Ghungarad
Date of Decision	:-	17/05/2025
Order signed by presiding officer	:-	17/05/2025
uploaded on	:-	17/05/2025