

IN THE COURT OF JUDICIAL MAGISTRATE FIRST CLASS,
AT : KHED-RAJGURUNAGAR, DIST.- PUNE

RCC No. 480/2019

The State of Maharashtra,

Through : Alandi Police station.

(Crime Registration no. 131/2017)

... Prosecution

- VERSUS -

Santosh Kisan Kasabe and Ors.

... Accused

ORDER BELOW EXH. 26

1. Perused the application and say. This is an application by applicant/accused no. 10 namely **Suraj Uttam Kate** seeking 'No Objection' from this Court for obtaining passport.

2. Heard learned advocate for applicant/accused. The stage of matter is for charge. It is admitted that accused is on bail. The accused is permanent resident of Pratik Floor Mill, Krushnai Niwas, Vishvashanti Colony, Pimpale Saudagar, Pune City, Aundh Camp, Dist.- Pune-411 057. Now the applicant /accused wanted to go to abroad to visit for his business purpose. He has applied for obtaining passport and the concerned Authority has directed him to bring 'No Objection' from Court for grant of passport.

3. Ld. A.P.P. submitted that, if application is allowed then it will be difficult to secure his presence for trial of the case. There is also other offences pending against this accused. Hence, both prayed to reject the application.

4. As per Section 6(2)(f) of the Passport Act, 1967 the Passport Authority shall refuse to issue passport for visiting country under Clause

(C) of sub section 2 of sub Section 5 on the ground that proceeding in respect of offence alleged to have been committed by the accused are pending before the criminal Court or summons or warrant has been issued against him.

5. In the present case the application is supported by an affidavit. The accused is ready to give undertaking to attain Court whenever his attendance is required.

6. Needless to state, the accused at this stage has only prayed for giving permission to obtain obtaining passport. He has not sought any permission to leave jurisdiction of this Court or territory of India. It is right of every person to obtain passport. Looking to the past conduct and pendency of the matter, I am of the view that, there shall be no hurdle to allow accused to obtain passport at this stage. In turn, I pass the following order.

ORDER

1. The application is allowed.
2. Permission granted to the accused to apply for renewal of passport having No. G9225891 as per the rules of Indian Passport Act and rule framed their under.
3. On receipt of passport accused shall furnish copy of his passport to the Court as well as to the police station by which present case is filed.
4. Accused shall in no case leave the jurisdiction of the Court or territory of India without prior permission of this Court.
5. Accused shall furnish usual undertaking regarding his attendance whenever required before the Court in hearing of Case No. 480/2019.

Khed
Date : 04/08/2022

(P. A. Jagdale)
Judicial Magistrate, F.C.
(Court No. 3)
Rajgurunagar-Khed, Dist. Pune.

C E R T I F I C A T E

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

Name of Steno	: -	Shri. Mahesh R. Gunnal, Stenographer Grade - III
Court Name	:-	Shri. P. A. Jagdale Judicial Magistrate F.C., Khed -Rajgurunagar, Pune
Date of Order	:-	04.08.2022
Signed by PO	:-	04.08.2022
PDF uploaded on	:-	04.08.2022