

ORDER BELOW EXH-52 IN RCC No. 140/2021.
(State of Maharashtra Vs.Khurshid Saifuddin Bohari & Ors.)

MHPU260017172021



The present application is filed by accused No.2 Khurshid Saifudding Bohari for seeking permission for renewal of passport for 10 years.

2) Accused No.2 along with other accused is facing trial for the offences punishable under section 420,467,468,471,34 of IPC. The Accused No.2 has passport no. P3852122 and the said passport is expiring on 31.07.2026. Therefore accused no. 2 desires to renew the said passport. However, due to pendency of the present case against the present applicant. The concerned passport authority has raised objection for renewal of the passport and sought permission of the Court for renewal of the passport. He is ready to abide the conditions imposed by the court. Hence, he submitted for allowing the application.

3) Learned A.P.P. contended that, if the applicant is permitted to renew the passport he is likely to abscond. Hence prayed to reject the application.

4) Perused the application and say. Heard, learned advocate for accused and learned A.P.P.

5) In this respect it is necessary to state here the observation in *Deepak Dwarkasing Chhabriya Vs. Union Of India reported in 1996(2) Mh. L. J. 877*, wherein it has been observed that...

“ Mere pendency of Criminal case is no ground to reject the application for grant of passport. If the applicant obtains permission from the Criminal Court where his case is pending, authority is duty bound to issue passport in terms of order of Criminal Court, subject to conditions of Notification dated 25.08.1993 ”.

6) In a case of *Satwant Singh Sawhney Vs. Ramarathnam, Assistant Passport Officer New Delhi, reported in A.I.R.1967 Supreme Court 1836*. Hon'ble Apex Court held that, “ Court can grant permission for obtaining passport to the accused.”

7) Therefore, considering the submission of the applicant and considering above decisions, to safeguard the rights of the accused, I have no hesitation to allow the accused no.2 to renew of passport; after imposing a condition that he shall not leave India without the permission of the court and shall not abscond, and shall attend court regularly. Hence the following order.

ORDER

- 1) The application is allowed.
- 2) The accused No.2 Khurshid Saifuddin Bohari is permitted to apply for renewal of passport for 10 years.
- 3) The Passport Authority shall consider the application of the accused on its own merits.
- 4) The accused shall give and undertaking in writing to the concerned Passport Authority that he will appear

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before the Court during the pendency of this matter,
as and when required by this Court to do so.

- 5) Accused shall not challenge his identity during the trial.
- 6) Accused shall proceed with the matter through his
learned advocate, in his absence.
- 7) Accused shall not leave India without the permission
of the Court and shall not abscond.

Place : Vadgaon Maval
Dated : 11.06.2026.

(Shri. VR. Doifode)
4th Judicial Magistrate First Class
Vadgaon Maval, Pune.

CERTIFICATE

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

Name of Steno : M.B. Ingole

Court Name : Shri. V.R. Doifode, 4th Jt. C.J.J.D. &
J.M.F.C. Vadgaon Maval,Pune.

Date of order : 11.06.2026

Order signed by P.O. on : 11.06.2026

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