

ORDER BELOW EXH.10 IN S.C.C. NO.2036/2019.
(State of Maharashtra Vs. Bhushan Anil Shinde)

The present application is filed by accused Bhushan Anil Shinde for seeking permission for obtaining of passport for 10 years.

2) Accused is facing trial for the offences punishable under section 337,427,279 of IPC. The Accused wants to travel abroad for business purpose but passport authority sought permission of the Court for issue of passport. He is ready to abide the conditions imposed by the Court. Hence, he submitted for allowing the application.

3) Learned A.P.P. Shri. Pawar contended that, if the permission for obtaining passport is granted the accused is likely to abscond in foreign country.

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 observations 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) Hence, at this juncture, considering above decisions, to safeguard the rights of the accused, I have no hesitation to allow the accused to grant permission for issue of passport by the passport authority 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 Bhushan Anil Shinde is permitted to apply the passport authority for issue 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 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 : 08.05.2025

(Shri. V.R. Doifode)
3rd 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, 3rd Jt. C.J.J.D. &
J.M.F.C. Vadgaon Maval, Pune.

Date of order : 08.05.2025

Order signed by P.O. on : 08.05.2025

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