

MHRG030000842020



R.C.C. No. 81/2020

(Mayur Kashinath Gharat Vs. Sunil
Janardan Pednekar and Ors.)

CNR No. MHRG030000842020

:: ORDER BELOW EXH. 109 IN R.C.C. NO. 81/2020 ::

Accused No. 8 Sagar Suresh Ghosalkar filed this application for permitting him to renew his passport.

2. Perused the application and say. Heard both the parties at length. This application is filed for granting no objection for renewal of passport. It appears that the accused wants to travel abroad to Dubai. Considering the ratio laid down by the Hon'ble Apex Court in the case of **Maneka Gandhi Vs. Union of India, 1978 AIR 597**, right to life includes right to personal liberty. In view of the ratio no objection can be granted to the accused to renew the passport.

3. The learned advocate of the accused had also relied upon the judgment of the Hon'ble Bombay High Court in the case of **Deepak Dwarkasingh Chhabria Vs. Union of India and Anr. (AIR 1997, Bombay 181)** wherein the Hon'ble High Court held that it is clear that the citizens against whom criminal cases are pending are made exempt from the operation of section 6(2) (f) provided they produce orders from the concerned Court

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permitting them to travel abroad subject to the terms and conditions mentioned in the notification. The passport authority, therefore, cannot reject the application for passport mechanically on the ground of pendency of criminal case against the applicant.

4. In this case, it appears that the accused is praying for renewal of the passport and the passport authority can renew it as per rules under the Passport Rules, 1980. Therefore, it is not necessary to restrict the period for renewal of passport. Considering the rules under the Passport Act and the judgment relied upon by the accused, I pass the following order.

:: ORDER ::

1. No objection is granted for renewal of passport as per Passport Rules, 1980.
2. Accused No. 8 Sagar Suresh Ghosalkar is directed to obtain permission of this Court as and when he wants to travel abroad.

Alibag.
Date : 14/08/2025.

(**M. B. Attar**)
Chief Judicial Magistrate,
Raigad-Alibag