

Order Passed BELOW EXH.45

(Passed on 10/12/2024)

The applicant/accused No.4 has filed application for permission to renewal of passport bearing No.M3869095 issued by the Passport Officer, Mumbai on 26.11.2014 and it is valid upto 25-11-2024.

02. Say of APP is called. She has taken objection for the said application.

03. Perused record, the case is pending against accused No.4 for the offence punishable under section 328,273,188 of Indian Penal Code read with food Safety and standards Act Sections 26(2)(iv),27(3)(d),26(2)(i) and 59(iiii) because of pendency of this case against him. The applicant/accused No.4 submitted that, he is Indian and falsely implicated in this case. The validity of his passport will be expired on 25.11.2024. For the renewal purpose permission of this court is required. He further contended that he will not misuse of this passport and without permission of this court, he will not go to abroad, if permission is granted. He is ready to obey the condition of the Court.

04. The said case is pending against 4 accused. According to learned advocate for the applicant/accused he is only required permission for renewal of passport. The The Hon'ble High Court in Deepak Vs Union of Indian reported in [**AIR 1997 Bombay 181**] has observed that, Renewal of passport – Pendency of criminal case _ Not a bar to renewal if applicant obtains permission from concerned Criminal Court for travel outside India. Considering the facts and circumstances, the applicant/accused No.4 has only prayed for permission to renewal of passport. He has also filed affidavit in support of his contention. He is permanent resident of Mumbai. He has also produced photocopy copy of passport, it shows that its validity expired on 25.11.2024. So, it would be proper to permit the applicant/accused No.4 on conditions. Hence, I pass following order.

O R D E R

1. Application is allowed.
2. Applicant/accused No.4 Shakeel Ahmed Rehman Adhikari is permitted for renewal of passport No. M3869095 only on following conditions;
 - a) He is directed to attend the court on given date and furnish the copies of the renewed passport.
 - b) He shall not to travel abroad without the permission of this Court.

Date: 10.12.2024
Place: Roha

(M.C Hasge)
Judicial Magistrate First Class
Roha-Raigad