



S.C.C. No. 647/2017

Sarthak Jadhav vs. M/s. Morya
Infra Construct. Pvt. Ltd. and ors.

Exh.No. 16/D

CNR No. MHRG090010262017

ORDER BELOW EXH. NO.16

Perused the application and say thereon. Heard Ld. Advocate for accused and complainant. Accused No.04 Vivek Madhavrao Girdhari has filed this application on affidavit seeking no objection of this Court to renew his passport bearing No.J3574143.

2. It is submitted that present complaint is filed against the accused persons for the offences punishable under section 499, 500 of the I.P.C. Present accused is accused No.4 in the complaint. However, no process is issued against him till date. He is the executive editor of Dainik Pudhari, Raigad edition. He is permanently residing at Kurla, Mumbai and he is required to travel abroad with various ministers of the Central Government as an official invitee.

3. He has applied for renewal of his passport. But, his application was kept pending on the information that the present accused is involved in the criminal case pending before this Court. Due to which, he could not go abroad to attend important events. Hence, he has prayed to allow the application and issue no objection for renewal of his passport.

4. The complainant has raised objection to the present application. Record reveals that present complaint is file by one Sarthak Anant Jadhav against M/s. Moraya Infra Construct. Pvt. Ltd. and ors. for the offences punishable under section 499, 500 of the I.P.C. Present applicant is accused No.4 in it. The matter was sent to Nagothane police station for further investigation under section 202(1) of the Code of Criminal Procedure. Accordingly, the concern police station has submitted it's report (Exh.10). Said report is pending for arguments. The process against accused persons is yet to be issued.

5. Therefore, as the present applicant is arrayed as accused No.4, he has no alternative then to approach before this Court for seeking no objection for renewal of his passport. The application is supported by his affidavit (Exh.17). He does not appear to be a habitual offender or there does not appear any chances of his absconding. Hence, considering these facts, I find that present application deserves to be allowed in the interest of justice by imposing certain conditions.

ORDER

01. Application (Exh.16) is allowed on following conditions.
- a) This Court gives No objection in respect of S.C.C. No.647/2017 Sarthak Anant Jadhav vs. M/s. Moraya Infra Construct. Pvt. Ltd. + 3 pending

before this Court instituted at the instance of the complainant Sarthak Anant Jadhav to renew the Passport bearing No. J3574143 of the accused No.04 namely Vivek Madhavrao Girdhari if he is qualified as per rules.

- b) Accused No.04 is directed to take certified copy of this application and order for its production before concern Passport Authority.
- c) The Passport Authority shall act on the duly certified copy of this order issued by the office bearer of this Court.
- d) Accused No.04 shall intimate this Court well in advance in case if he is desirous to travel abroad.
- e) Inform about this order to the Police Station, Nagothane.

Sd/-

(S. D. Kamalakar)

Judicial Magistrate First Class, Roha.

District Raigad.

Date : 23.08.2021.