



Order below Exh.39 in Reg. Criminal Case No.02/2023

- 1) Present case is instituted by Dighi Sagari Police Station for an offences punishable under Section 498-A, 323, 504, 506, 494, 34 of IPC. Applicant namely Laila Musaddiq Mithagare is accused No.03 in the present case.
- 2) By virtue of this application, accused prayed to grant her no objection so as to apply for passport. It is submitted that, accused wants to apply for a passport in order to travel out of country for religious obligation. Due to pendency of present case, passport officials are asking her to obtain No Objection from court where present case is being pending. Thus, she filed present application and prayed for no objection for the same.
- 3) Learned A.P.P. filed his say on the overleaf of the said application and resisted the application.
- 4) At this stage, it will be profitable to take reference of the citation of Honorable Supreme Court in the case of **Vangala Kasturi Rangacharyulu -Vs- CBI in Criminal Appeal No.1342/2017 decided on 27/09/2021** wherein the Honorable Apex Court held that
"Passport authority cannot refuse renewal of passport merely on the ground that pendency of a criminal case."
- 5) As per the supra citation, passport office cannot refuse passport on the ground of pendency of criminal case.

Moreover, if the applicant wants no objection from this office, I proceed to pass following order-

ORDER

- a. The applicant/accused no.3 namely Laila Musaddiq Mithagare is accorded No Objection from this court for applying to a passport.
- b. It is clarified that, the no objection is restricted for applying to a passport. The applicant/accused no.3 shall intimate about schedule of her journey, if so ascertain after obtaining the passport, so as to the present proceeding shall not hampered by her absence.
- c. Application is disposed off accordingly.

Date : 14/01/2026
Shrivardhan

(S. K.Shaikh)
Judicial Magistrate F.C.,
Shrivardhan