

MHRG170022432024



ORDER BELOW EXH.03
IN SESSIONS CASE NO.153/2024
THE STATE OF MAHARASHTRA V/S. DUSHYANT AJAY PAL
(PASSED ON 28th DAY OF APRIL, 2025.)

The applicant/accused – Dushyant Ajay Pal moved this application to accord leave for issuance of passport.

2. Learned A.P.P filed reply and objected the application.

3. Points for the determination and my findings thereon for the reasons stated below;

SR. NO.	POINTS	FINDINGS
I.	Whether grounds are justified to accord leave to issue passport of the applicant/accused ?	Yes.
II.	What Order ?	The application is Allowed.

REASONS

4. Perused application, say filed. Heard learned advocate for the applicant/accused as well as learned A.P.P.

AS TO POINTS NO. I AND II :

5. The prosecution bearing Sessions Case No.153/2024 is pending against present applicant/accused for the offence under Section 353 of the Indian Penal Code vide Crime No.217/2021 registered with police station Panvel Taluka.

6. According to the applicant, he intends to travel to abroad for the purpose of his education or for job in future. Therefore, he intends to apply for issuance of passport. The applicant has placed on record his Aadhar Card. The trial of this prosecution is not yet begun. The said right to travel abroad cannot be curtailed in view of Article 21 of the Constitution. Learned A.P.P has objected the said application to apply for passport.

7. Since the applicant intends to travel abroad for the purpose of his education or for job in future as such, the said leave ought to be accorded. It is for the applicant to apply for

permission to travel abroad whenever required subject to itinerary. The grounds are justified to accord the leave to issue passport.

8. According to the passport authority as per the Notification Dated 25.08.1993 issued by Ministry of External Affairs, the passport to be issued for the period specified in order of the court and if no period is prescribed to issue the passport for a period of one year.

9. On the backdrop of this Notification, it is submission of learned advocate of applicant to accord leave to issue passport for tenure of 10 years. If period is not specified then, the concerned authority will issue passport for the period of one year. Again the applicant has to apply for renewal of the said passport. Thus in order to avoid frequent repeated application by him and in terms of his prayer in the application, grounds are justified to accord leave to him to grant N.O.C by this court for issuance of passport for a period of 10 years.

10. In the light of foregoing, grounds are justified to accord leave to issue the passport for the period of 10 years. I answer Point No.I in the affirmative. With this, I pass following order ;

ORDER

1)	The application to accord leave for issuance of passport is allowed.
2)	The leave is accorded to applicant – Dushyant Ajay Pal to issue the passport for a period of 10 years in terms of prayer.
3)	The applicant shall apply for leave of the court whenever intends to travel abroad with specific period and place of travel alongwith itinerary.
4)	Inform to concerned police station.
	Dictated and pronounced in Open Court.

Place : Panvel

**(K.G. Paldewar)
Additional Sessions Judge,
Panvel**

Date : 28.04.2025

Arguments heard on	28 th Day of April, 2025.
Order delivered on	28 th Day of April, 2025.
Dictated on	28 th Day of April, 2025.
Transcribed on	28 th Day of April, 2025.
Checked and signed on	29 th Day of April, 2025.

CERTIFICATE

I affirm that the contents of this PDF file
Judgment/Order is same and as per the original
Judgment/Order.

Name of the Stenographer	:	K.N.Lokhande
Name of the Court	:	Additional Sessions Court, Panvel
Date of Order	:	28.04.2025.
Order signed on	:	29.04.2025.
Presiding Officer	:	K.G. Paldewar
Order uploaded on	:	29.04.2025.