

ORDER BELOW EXH. 341

The present application has been filed by accused No. 07 namely, Shankar Laxamn Shetye, for permission to renew the passport.

2) It is submitted that the case is pending against the present accused for the offence punishable U/Sec. 406, 408, 409, 420, 467, 471 r/w. 34 of the Indian Penal Code and U/Sec. 66 (D) of The Information Technology Act. The accused is law abiding citizen and respectable person in society. He is having passport bearing No. N2372005 and it will expire on 16/08/2025. The accused inclined to travel abroad in future for tourist/traveler passport. As per provisions of law and notifications, it is necessary for any person to seek permission from the Court to renew the passport and then apply for Visa as per respective countries. The Court is empowered to give directions to the Passport Authority to renew the passport for the period of 10 years. Unless and until, the passport is renew, the accused will not be able to refer an application for getting Visa for travel. Hence, the permission is required to renew his passport for 10 years. Hence, the application. An affidavit in support of the present application is filed below Exh. No. 342.

3) The Ld. APP objected the same by filing say below Exh. No. 351. He submitted that the accused person is required in the Court during trial. If the permission is granted then there is

possibility of his traveling abroad and thereby, remaining absent during trial in the Court. Hence, prayed for rejection.

4) Heard both the sides and perused the record.

5) Perusal of record reveals that the matter is pending for argument on discharge application filed on behalf of accused persons. The photocopy of his passport reveals that it will expire on 16/08/2025. Here, the Ld. Advocate for the accused prayed specifically, for directions to the Passport Authority to renew the passport for the period of 10 years.

6) There is no bar to give permission to renew the passport of the accused person, subject to certain terms and conditions. The trial of present case will take its own time. Hence, the renewal of a passport should not be restricted to a shorter duration simply because of pendency of a criminal case against the applicant/accused. Hence, considering submissions, I am of the view that it is necessary to give permission to renew the passport of the present accused for the period of 10 years. Hence, I pass following order :-

-: **ORDER** :-

- 1) The application is allowed.
- 2) The permission is granted to the present accused to renew his passport for the period of 10 years from the date of it's renewal.

- 3) The permission is granted only because the case is pending against the present accused. This is not bye-pass to procedure and rules established by law.
- 4) The passport authority is at liberty to follow it's own procedure and rules while renewing the passport of the present accused.
- 5) The accused shall file fresh application before traveling abroad.
- 6) The copy of the present order shall be given to the concerned Passport Authority, for necessary compliance.

Date: 02/02/2026
Place: Deorukh

(Rohini R. Kulkarni)
Judicial Magistrate First Class,
Deorukh

CERTIFICATE

I affirm that the contents of this P.D.F file are same, word to word, as per the original order/judgment/evidence.

Name of the Stenographer : S. A. Bhale

Court : Civil Judge, J. D. and J.M.F.C., Deorukh.

Date : 02/02/2026

Order signed by the presiding officer on : 02/02/2026

Order uploaded on : 02/02/2026