

RCC No. 28/2017

State Vs. Vasanti Nikam & Ors.

CNR No.MHRT080001292017

ORDER BELOW EXH. 291

By the present application, accused No. 06 Nitin Sudhakar Purohit has prayed for leave to renew his passport notwithstanding pendency of the present case. It is contended that, he has a passport bearing No. Y9435374. It is due for renewal on 18/10/2024. He would need to travel out. However, he would be unable to so travel, if the validity of the passport is expired. As such, he made present application.

2. Application is opposed by the ld. APP by filing reply at Exh. 294. She contends that, if the accused leaves the country, it would be difficult to secure his presence. Hence, learned APP has prayed for rejecting the application.

3. Pertinently, accused is alleged to have committed offences punishable under Sections 406, 408, 409, 420, 467, 471 r/w. 34 of Indian Penal Code, 1860 and under section 66-D of the Information Technology Act.

4. Since a criminal proceeding is pending against the accused, consent of the Court for renewal of passport is necessary. Renewal of a passport or refusal of the same is a decision within the domain of the concerned authority. However, as this case is pending, this Court can consent for renewal of the passport. There is no circumstance to refuse such consent. Moreover, the accused can be directed to seek leave of the Court before leaving the Country. Thus, I pass following order :-

ORDER

1. Application is hereby allowed.
2. This Court consents the passport authorities to renew passport bearing No. Y9435374 pertaining to the accused Nitin Sudhakar Purohit, notwithstanding the pendency of present proceeding i. e. Regular Criminal Case No. 28/2017 which arose out of crime bearing No. 78/2016 of police station Deorukh, Dist. Ratnagiri, if he otherwise satisfies requirements for renewal of his passport.
3. The applicant shall not leave India without seeking permission of this Court for the same.

Date: 22.06.2024

(B.D.Tare)
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 : 22/06/2024

Order signed by the presiding officer : 22/06/2024
on

Order uploaded on : 22/06/2024