

RCC No. 26/2019

State Vs. Vasanti Nikam & Ors.

CNR No.MHRT080003232019

ORDER BELOW EXH. 94

By the present application, accused No. 17 Dattatray Maruti Bhasme has prayed for leave to renew his passport, notwithstanding pendency of the present case. It is contended that, he has a passport bearing No. M1915661. It has been expired on 27/08/2024. Due to pendency of the present case, it is necessary to seek permission of this court to renew the passport. Hence, present application is filed.

02. Application is opposed by the ld. APP, by filing reply below Exh. 98. He contends that, having regard to the fact that, if the accused leaves the country, it would be difficult to secure his presence. Hence, he prayed for rejecting the application.

03. 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.

04. By filing an affidavit at Exh. 95, the accused Dattatray Maruti Bhasme has stated that, when he prayed the Passport Authority for renewal of her passport, he was orally directed to seek permission of this Court for the same as present case is pending against him. He intends to fly abroad in the month of May-June 2025. However, since his passport has been expired, as per provision of law and notification he has to get prior permission from Hon'ble Court before renewing the passport. He has contended that, he is permanent resident of Deorukh. He will not

flee away from justice.

05. 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. 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. M1915661 pertaining to the accused Dattatray Maruti Bhasme, notwithstanding the pendency of present proceeding i.e. Regular Criminal Case No. 26/2019 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: 26/05/2025

(Shruti H. Patil)
Judicial Magistrate First Class,
Deorukh

CERTIFICATE

I affirm that the contents of this PD.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 : 26/05/2025

Order signed by the presiding : 26/05/2025
officer on

Order uploaded on : 26/05/2025