

ORDER BELOW EXH. 62

By this application applicant Tanaji Tulshiram Babar seeks permission for renewal of passport. Applicant submitted that, Crime Register No.182.2019 has been filed against applicant in Vita Police Station for the offences punishable U/s.498(A), 406, 323, 504, 34 of the Indian Penal Code. One Criminal M.A. No.143/2019 vide under Section 12 of the Domestic Violence Act in the Criminal Court, Vita also has been filed against him. It is submitted that in above both the matter, applicant remains present before the Court. The validity of passport of applicant is expired on 18.04.2024. Hence, he urged for permission for renewal of his passport.

02. The A.P.P. has filed say. He submitted that serious offences are pending against the applicant, possibility of absconding of accused cannot be ruled out. Hence, he urged for rejection of this application.

03. Heard Ld. Counsel for the applicant/accused and Ld. APP Shri. V. S. Kokate for the State. Perused the record. Crime Register No.182/2019 has been filed against applicant in Vita Police Station for the offences punishable U/s. 498(A), 406, 323, 504, 34 of the Indian Penal Code and one Criminal M.A. No.143/2019 vide under Section 12 of the Domestic Violence Act in the Criminal Court, Vita also has been filed against him. Both the cases are pending before the Court. Record shows that accused are present in the Court without fail on each date. The applicant wants to go abroad for business purpose. His validity of passport is expired on 18.04.2024. The applicant is permanently resided at Vita, Tal.Khanapur, Dist.Sangli at his given address.

04. It is fundamental right of applicant to go anywhere. Moreover, Hon'ble Supreme Court of India in *Satvant Sing Sawhney Vs. D.*

Ramarahnam, Assistant Passport Officer, Government of India, New Delhi AIR 1967 SC 1836 pleased to hold that, the expression "Personal Liberty" in Article 21 of Constitution includes the right to travel abroad and in Article 21 no person can be deprived of his right to go abroad except according to the procedure established by law.

05. The present application is related with the valuable rights of applicant. In view of proposition supra, *Satvant Sing Sawhney Vs. D. Ramarahnam, Assistant Passport Officer, Government of India, New Delhi*, So, the expression "Personal Liberty" in Article 21 of Constitution includes the right to travel abroad and in Article 21, no person can be deprived of his right to go abroad except according to the procedure established by law. In view of the above, accordingly, I proceed to pass the following order;

ORDER

The applicant Tanaji Tulshiram Babar is hereby permitted for renewal of his passport as per procedure of law.

Place- Vita.

M.Sharique A.U. Rahman

Date- 20.08.2024.

Judicial Magistrate First Class, Vita,
Tal.Khanapur, Dist.Sangli.

CERTIFICATE

I affirm that the contents of this PDF file are same as per the dictation by P.O.

Name of Stenographer	:-	S.V. Gaikwad,
Name of the Court	:-	M.Sharique.A.U. Rahman, Jt.Civil Judge Jr. Dn., & J.M.F.C. Vita. Tal:-Khanapur.
Date of decision	:-	20.08.2024
Order signed by P.O. on	:-	20.08.2024
Order uploaded on	:-	20.08.2024.