

**Order Below Exh. 128 in R.C.C. No.116/1999.**  
**(Passed on 10.06.2019.)**

1. Heard Mr.U.R.Tale, Ld.advocate for the accused No.57.
2. This application is made by the accused No.57 to seek the permission for getting passport from passport authority. The accused No.57 has submitted that she is permanently residing at village Mohol. Tal. Mohol Dist. Solapur. She has applied for getting passport to travel abroad for the purpose of tourism.
3. On going through the application, say and argument advanced by learned advocate for accused, it seems that the accused No.57 want permission for getting passport to travel abroad.
4. At this stage, I relied in *Shayam Chabria V/s. The Regional Passport Officer reported in 2000(2) Bom.C.R. 602* it has been held that-

**Para No. 8 :-** A bare reading of this notification makes it clear that an application for passport is not liable to be refused on the ground of pendency of criminal case if the applicant obtains permission from the concerned Criminal Court. After noting the said notification, this Court observed as under,

*“ In view of the aforesaid notification by the Central Government, it is clear that the citizens against whom criminal cases are pending are made exempt from the operation of section 6(2)(f) provided. They produce orders from the concerned Court permitting them to travel abroad subject to the terms and conditions mentioned in the notifications. In other words, an application of passport is not liable to be refused on the ground of pendency of criminal case if the applicant obtains permission from the concerned Criminal Court for traveling outside India. The passport authority, therefore can not reject the application for passport mechanically on the ground of pendency of criminal case against the application.”*

5. In view of the above observation, this application can not be refused on the ground of pendency of criminal case.

6. As per the conditions mentioned in the Notification of Central Government, permission shall be issued to accused to get passport for traveling outside India.

7. As above conditions and discussion, I proceed to pass the following order.

**:: O R D E R ::**

1. Application at Exh.128 is allowed.
2. Passport authority and Mohol Police Station are hereby informed that this court has given no objection to grant passport to the accused No.57 viz. Seema Subhash Patil.
3. This Court is giving permission to get passport and travel abroad to accused Seema Subhash Patil subject to learned counsel for accused conduct the case in her absence.
4. Accused No.57 is also directed to be furnished detail information of tour program to the court.
5. Accused No.57 is also directed that she shall inform the court while leaving from India and after returned from abroad.

Place : Mohol.  
Date : 10.06.2019.

**(R. N. Gaikwad)**  
Judicial Magisterial First Class,  
Mohol (Dist.Solapur).

**CERTIFICATE**

I affirm that the contents of this PDF file Order /Judgment are same word to word, as per the original Order /Judgment.

Name of Stenographer	:	S.P.Doke
Court	:	Civil Judge Junior Division and Judicial Magistrate First Class, Mohol.
Date	:	10-06-2019
Judgment /order signed by the Presiding Officer on	:	10-06-2019
Judgment /order uploaded on	:	10-06-2019