

MHST080002792026



**CRIMINAL MISCELLANEOUS APPLICATION**  
**NO.20/2026**

Akshay Ashok Jadhav

V/s.

State of Maharashtra through Shirwal Police  
Station

**ORDER BELOW EXH.1**

The present application is filed by accused named Akshay Ashok Jadhav for permission to renew his passport.

**02.** The accused, through present application averred that said case is registered against him for offence punishable under Section 316(2) of Bharatiya Nyaya Sanhita. He further averred that he is ready to abide by the conditions imposed by the Court for renewal of his passport. As per his averment, he wants to visit other countries for which renewal of his passport is necessary. Hence, he requested to grant No-Objection for renewal of his passport.

**03.** The learned A.P.P. has filed her say on overleaf of present application and strongly resisted the application. She submitted that if permission is granted to the accused to renew his passport then there is possibility that he may remain absent for trial. Hence, she prayed to reject the application. Investigating Officer has filed his say at Exh.6 and resisted the application on same grounds.

**04.** I have heard learned advocate for the accused and learned A.P.P. for the State. On perusal of application as well as documents on

record it appears that accused wants to visit other countries. The Passport Authority directed the accused to obtain and furnish permission of this Court for further process of renewal of his passport.

**05.** As far as permission for renewal of passport is concerned, Circular dated 21/08/2014 issued by Ministry of External Affairs and copy of notification GSR 570(E) of Ministry of External Affairs, New Delhi, dated 25/08/1993 states that any applicant against whom proceeding before Criminal Court are pending, is required to submit permission of concerned Court as well as undertaking in writing as provided in paragraph No.1 (d) of GSR 570(E).

**06.** After considering facts and circumstances of the present case, it appears that grant of passport as well as its renewal is the basic right of every citizen of India. Considering aforesaid notification and circular, it appears that permission of this Court is necessary to the accused for renewal of his passport. The reason mentioned in the present application is genuine and reasonable and therefore considering mandatory legal provisions and peculiar facts, following order is passed :

### **ORDER**

- 1) The application is allowed.
- 2) The permission for renewal of passport is granted to the accused named Akshay Ashok Jadhav for the period of ten year.
- 3) Passport if renewed/granted, to accused named Akshay Ashok Jadhav by appropriate authority shall not be used by the accused for fleeing away from the justice.

- 4) The present permission is granted only to the extend of renewal of the passport and it will not facilitate to accused to move abroad, without prior permission of this Court.

Date: 24.03.2026  
Place: Khandala

(S. G. Kuvalekar)  
Judicial Magistrate First Class,  
Khandala