

MHST190012212023



IN THE COURT OF ADDITIONAL SESSIONS JUDGE, WAI
Session Case No. 68/2023

(State Vs. Gajanan Bhosale & Ors.)

ORDER BELOW EXH.69

(Passed on this 05th day of January 2026)

1] Applicant/accused No.5- Madhukar Rupchand Shinde has filed instant application (**Exh.69**) for grant of permission to apply for passport to the concerned authority. It is contended that, he wanted to make study and experiment on his agricultural land in order to improve his own agricultural lands and for that purpose, he wanted to go to Brazil, Malesiya. It is contention of applicant/accused that criminal case (present S.C.No.68/2023) is pending against him for the offences punishable under Sections 143, 147, 148, 149, 326, 324, 332 and 353 read with Section 149 of the Indian Penal Code, Section 135 of the Bombay Police Act & Section 3 of Prevention of Damage to Public Property Act in Crime No. 94/2007 registered with police station, Bhuinj. According to him, bail has been granted to him. Present matter is fixed for hearing. He is permanent resident of Jamb, Tal.Wai, Dist.Satara. Due to pendency of criminal case, it is essential for him to seek the permission for new passport. Therefore, lastly, he requested to allow application [Exh.69].

2] Learned Public Prosecutor Shri D.S.Patil has opposed said application by adopting say filed by Investigating Officer vide **Exh.71** and submitted that accused is facing trial under serious offence. There is every possibility that he will stay in foreign country, in case, application is allowed. As such, he will abscond. Hence, it is requested to reject the application.

3] I have heard both the parties. Present applicant appears to have been released on bail. Both the parties have submitted that while granting bail to such applicant, no condition has been imposed about not leaving India. Basic root of applicant appears to be lying in village Jamb, Taluka Wai, District Satara. He has filed his affidavit vide **Exh.70**. Therefore, there appears to be least chances of his absconding. Apart from this, applicant has every right to apply for passport. Applicant assures that he will not misuse the order, in case, application [Exh.69] is allowed. In such circumstances, I did not find any legal ground so as to reject his application. As such, if permission is granted for obtaining passport to the applicant, then it may not prejudice to the prosecution side. In consequence of this, application [Exh.69] is liable to be allowed. In the result, following order is passed.

OPERATIVE ORDER

- 1] Application (**Exh.69**) is allowed.
- 2] Applicant/accused **Madhukar Rupchand Shinde**, resident of village Jamb, Taluka- Wai, District, Satara, is permitted to apply for Passport.
- 3] Applicant/accused should take prior permission of the Court, if he intends to travel beyond India.

Wai
Date: 05.01.2026

(R.N.Mehare)
Addl. Sessions Judge, Wai.