

MHTH310024732026 	<u>O.M.A. No.179/2026</u> SOHAIL VAKIL KHAN Vs. State Through Navghar Police Station
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ORDER BELOW EXH.01

This is an application filed by the accused Sohail Vakil Khan, for granting permission to obtain a passport from the concerned passport authority.

2. It is contended that his passport bearing no. N2678803 was issued on 19.08.2015 and expired on 18.08.2025. He moved an application for renewal of passport but, passport authority decline the same stating that the CR. No. 166/2017 registered at Navghar Police Station is pending against him. Hence, permission to obtain passport be granted to him.

3. The learned special A.P.P. filed his say and contended that the offences leveled against the accused are grave. If the application allowed the possibility of his absconding and delaying the trial cannot be ruled out. Hence, he prayed for rejection of the application.

4. Perused the application and say. The accused is alleged to have committed offences punishable under Sections 323, 147, 148, 427, 504, 506 read with 149 of IPC. Verified copy of the passport shows that it was valid upto 18.08.2025. Further, the photo copy of the Aadhar Card, shows that he is a resident of F/101, Munish Classic , Munish Complex Indralok, Phase-3, Bhayandar (E), Dist- Thane. Therefore, there is no apprehension of his absconding.

Hence, in order to strike a balance between the liberty of an individual and to ensure the presence of the accused during trial, it is necessary to impose certain terms and conditions. Therefore, subject to conditions, this application deserves to be allowed. Hence, I pass the following order.

ORDER

1. The application is allowed.
2. The permission is granted to the accused to obtain a passport from the concerned passport authority as per the provisions and rules of the Passport Act.
3. The accused shall attend and conduct the proceeding diligently .
4. The accused to file an affidavit about accepting these conditions and undertaking to the concerned passport officer.
5. The accused to make a fresh application for permission to depart from India when needed.

Date : 28.07.2026
Place: Mira Bhayandar

(P. G. Shelar)
Judicial Magistrate First Class,
Mira-Bhayandar.