

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/CRIMINAL REVISION APPLICATION (AGAINST ORDER PASSED BY
SUBORDINATE COURT) NO. 187 of 2026****With****R/CRIMINAL REVISION APPLICATION NO. 188 of 2026**

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PARAG RAMESHCHANDRA GATHANI**Versus****CENTRAL BUREAU OF INVESTIGATION, GANDHINAGAR & ANR.**

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Appearance:**MR ANSHIN H DESAI, SENIOR ADVOCATE assisted by MR PARTH
CONTRACTOR(7150) for the Applicant(s) No. 1****MR RC KODEKAR(1395) for the Respondent No. 1 in CR.RA 187/26****MR RAJESH K KANANI for the Respondent No. 1 in CR.RA 188/26****MR BHARGAV PANDYA, APP for the Respondent(s) No. 2**

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CORAM: HONOURABLE MS. JUSTICE GITA GOPI**Date : 12/03/2026****COMMON ORDER**

1. Prayers in both the applications are to quash and set aside the order dated 27.11.2025 passed by the learned Principal District Judge, Ahmedabad (Rural) in CBI Criminal Misc. Application no.3537/2025 (Criminal Revision Application no.187/2026) and CBI Criminal Misc. Application no. 3565/2025 (Criminal Revision Application no.188/2026) aggrieved by the restrictive limit of three years for the passport, where prayer was for the renewal of the passport.
2. Mr. Anshin H. Desai, learned Senior Advocate submitted that there has been no bail condition of surrendering the passport nor any restriction was laid down on the applicant for any

travel for business purpose abroad. Learned Senior Advocate Mr. Desai submitted that the necessity to move the Court arose since the booklet of the passport with the pages got exhausted because of the endorsement of the passport authority due to the travel of the applicant and thereby, the applicant had no other option but to move for renewal of his passport. Mr. Desai submitted that the applicant is aggrieved since the Court has restricted the validity of the passport upto 3 years, where considering the business of the applicant and his requirement to travel abroad for business purpose, the Court ought to have granted the validity of the passport for a period of 10 years in accordance to the mandatory provision of Rule 12 of the Passport Rules, 1980.

- 2.1 Learned Senior Advocate Mr. Desai further submitted that a fixed deposit to the value of Rs.3.80 crores belonging to the applicant has been attached by the authority concerned and hence, necessary surety is in the hands of the Enforcement Directorate.
3. Countering the arguments, learned counsel Mr. R.C. Kodekar and learned counsel Mr. Rajesh Kanani for the respondent no.1 in respective matters, submitted that the Court concerned had taken into consideration the provisions of law

as well as the facts of the case to limit issuance of the passport for a period of three years. The learned advocates appearing for the respective parties submitted that it is not the case that the Court has rejected the prayer and the validity period of three years is in accordance to the notification / circular of the Ministry of External Affairs dated 25.8.1993. The learned advocates appearing for the respondent no.1 submitted that the applicant's rights have been protected by the Court through the order and if at all any necessity arise, he would have the right to again approach the Court for renewal.

4. Countering the arguments with regard to condition of surrendering and redepositing the applicant's renewed passport with the Court immediately on receiving it, the learned advocates appearing for the respondent no.1 submitted that the Court has invoked its own discretionary authority to ensure that the applicant would remain present throughout the trial and if at all the applicant would be required to travel abroad, upon reaching the Court for seeking permission, the Court would, if it finds it appropriate having regard to the facts of the case and the reasons assigned, hand over the passport to the applicant for the purpose of

such travel.

5. The application before the Principal District Judge, Ahmedabad (Rural) was for reissuance of the passport for a period of 10 years. The applicant was holding the passport with the validity upto 23.1.2027. The Court was moved because of the reason that the pages of the issued passport had got exhausted. The applicant had moved the Court in accordance to the Rules for a direction to the passport authority for the purpose to add on further pages in the issued passport, so that the applicant would have the necessary space in his passport for the endorsement of his travel.
6. In view of this fact, It appears that the learned Judge has failed to consider that the applicant has the valid authority to hold the passport till 23.1.2027. It cannot be considered that actually the case was of any renewal / reissuance of the passport when the applicant was having a valid passport to be used till 23.1.2027.
7. Having considered the submissions made and the validity of the passport which the applicant presently holds, this Court deems it fit to modify the operative part of the impugned orders directing the passport authority that the validity of the

passport shall be counted of 23.1.2027 and thereafter, further period of three years be considered as addition for reissuance of passport.

8. In view of the fact that such condition no.(c) requiring surrender/redeposit of the renewed passport before the Court immediately after renewal had originally been imposed upon the applicant, and considering that the application for renewal of the passport was moved only on account of the exhaustion of pages in the valid passport, and further considering that no adverse conduct of the applicant has been noticed after filing of the charge-sheet, the imposition of such condition does not appear to be just or appropriate, as the application moved was only for the limited ground of renewal and reissuance of the passport. Hence, the condition no.(c) in the impugned orders is ordered to be deleted.
9. Condition no.(b) of the impugned orders is modified to the extent that as and when the applicant has to travel abroad, he has to inform the itinerary to the Court concerned.
10. Accordingly, the present applications are disposed of. Direct service is permitted.

(GITA GOPI,J)

Maulik