

JPP

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION**

**CRIMINAL APPLICATION NO. 353 OF 2015
IN
CRIMINAL APPEAL NO. 648 OF 2007**

Abdul Rehman Abdul Gafoor Shaikh. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Mr. Bhavesh Thakur i/b. Mr. Rahul Arote for the Applicant.
Mr. H.J. Dedhia, APP for the State.

**CORAM : P.V. HARDAS &
Dr. SHALINI PHANSALKAR-JOSHI, JJ.**

MARCH 31, 2015.

P.C. :-

This Application has been filed by the Applicant with a prayer that the Passport of the Applicant bearing No.E 3619692 which is presently in the custody of the Registrar of the Sessions Court, Greater Mumbai, be delivered to the Applicant so that the Applicant can take steps for renewal of the Passport.

2. The Applicant is Appellant in Criminal Appeal No. 648 of 2007, which is filed by the Applicant challenging his conviction for offence punishable under the M.C.O.C. Act r/w. 120-B and sentence of seven years R.I. and fine of Rs. 7.00 lacs as well as his conviction and sentence for offence punishable under Section 387 r/w. 34 of the Indian Penal Code and the sentence of R.I. for two years and fine of Rs.5,000/-. The said Appeal has been admitted by this Court and the Applicant was released on bail by this Court.

3. The Applicant has filed an undertaking that the said Passport has been deposited in the custody of the Registrar of the City Civil and Sessions Court at Mumbai and the Applicant undertakes that after the Passport is renewed, the Applicant would surrender the said Passport within one week of receipt of the renewed Passport. The Applicant has also undertaken that he would not travel abroad after issuance of the renewed Passport without seeking permission of this Court.

4. Since the Passport of the Applicant has expired, we allow this Application and direct that the Passport which is presently in the custody of the Registrar, City Civil and Sessions Court at Mumbai, be returned to the Applicant so as to enable the Applicant to apply for its renewal. The Applicant shall surrender the said Passport to the custody of the Registrar, City Civil and Sessions Court at Mumbai within one week of receipt of the renewed Passport. The Applicant shall not travel abroad without the permission of this Court.

Application is thus allowed as indicated above.

Parties to act on authenticated copy of this order.

(DR.SHALINI PHANSALKAR-JOSHI, J.) (P.V. HARDAS, J.)