

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 504 OF 2015
WITH
CRIMINAL APPLICATION NO. 468 OF 2015
WITH
CRIMINAL APPLICATION NO. 469 OF 2015
WITH
CRIMINAL APPLICATION NO. 503 OF 2015

Amit Sarkar & Ors.	...	Applicants
vs.		
Union of India & Ors.	...	Respondents

Mr. Aniket Vagal, Advocate for the applicants
Ms. Rebecca Gonsalves for respondent..
Mr. Arfan Sait, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 26th October, 2015.

P.C.

The learned counsel for the respondent has placed on record a letter issued to the Superintendent of Police, CBI, on 10.6.2015. The Passport Authority has issued notice to Smt. Meera Jatin Sarkar and Smt. Meeta Amit Sarkar that they have initiated proceedings under Section 10(3) (e) of the Passport Act, 1967.

2. The learned counsel for the respondent submits that the

petitioners were not residing at the address given to the CBI and, therefore, notices could not be served upon them.

3. The learned counsel for the petitioners submits that in fact, the CBI knows the address of the petitioners as the petitioners had received the summons on the said address. However, at this stage, the learned counsel for the respondent submits that the petitioners are not residing at the address given in the cause title of the present petition. Be that as it may, since the petitioners have knowledge that the Passport Authority has initiated proceedings under Section 10 of the Passports Act, the learned counsel for the petitioners submits that the petitioners would appear before the Passport Authority. The prayer in the present Writ Petition is for return of the Passport. The said prayer has become infructuous.

4. In view of this, the learned counsel for the petitioners seeks liberty to withdraw the petition. Liberty as prayed for is granted in the interest of justice. However, it is made clear that all contentions raised in the Petition are kept open. Application No.504 of 2015 stands disposed of.

5. The learned counsel for the respondent submits that the office

of the CBI has intimated the fresh address to the Passport Authority.

6. In view of the disposal of the Application No.504 of 2015, Criminal Application Nos. 468 of 2015, 469 of 2015 and 503 OF 2015 stand disposed of.

(SMT.SADHANA S.JADHAV, J.)