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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.726 OF 2016

Shri.Prakash Ajgaonkar Petitioner

Versus

The State of Maharashtra and anr Respondent

Mr. Raja Thakare I/by Mr. Prathmesh Samant, for petitioner,
Mr. A.S. Pai, APP for Respondent.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 29TH FEBRUARY 2016.

P.C. :

1. Heard learned counsel for the petitioner.
2. Perused the impugned order by which the learned Magistrate has rejected petitioner's prayer for return of passport on the ground that matter is pending in Sessions Court. It is submitted that the Record and proceeding was with the trial Court itself. However, it appears that in view of the stay granted by the Sessions court, learned Magistrate rejected petitioner's application for renewal of passport.
3. In view thereof, writ petition is allowed in terms of prayer clause (b). No objection is given for renewal of petitioner's passport

pending hearing and final disposal of C.C.No.44/SW/2011. The petitioner is directed to proceed with the procedural requirement of renewal of passport and report compliance to the learned Metropolitan Magistrate, 61st Court at Kurla.

[DR. SHALINI PHANSALKAR-JOSHI, J.]