

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

**CRIMINAL APPLICATION NO. 358 OF 2016
IN
CRIMINAL APPEAL NO. 639 OF 2007**

Tariq Abdul Karim Parveen @
Tariq Parveen

..Applicant / Appellant

v/s.

The State of Maharashtra .

..Respondents

Mr. Dhiraj Mirajkar for the Applicant.

Mr.A.S.Shitole, APP for the Respondent/State.

**CORAM : SMT. V.K.TAHILRAMANI &
SMT. ANUJA PRABHUDESSAI, JJ.
DATED : MARCH 23, 2016.**

ORAL ORDER [PER : SMT. V.K. TAHILRAMANI, J.]:

1. Heard both sides.
2. By this application, the applicant/appellant in Cri. Appeal No.639 of 2007 mainly prays for permission to travel abroad to Saudi Arabia for a period of eight weeks commencing from 14th April, 2016.
3. It is an admitted fact that this Court has permitted the applicant

to travel abroad by order dated 4.10.2013 in Cri. Application No.1314 of 2013 and thereafter, by order dated 30.1.2014 in Cri. Application No.82 of 2014. In the light of the fact that this Court had permitted the applicant to travel abroad on two earlier occasions, we are therefore, inclined to grant the prayer of the applicant to travel abroad.

4. We accordingly allow the said prayer and permit the applicant to travel to Saudi Arabia for a period of eight weeks commencing from 14th April, 2016 on the condition that the applicant shall deposit an amount of Rs.1,00,000/- (Rs. One lac only) in the City Civil and Sessions Court, Mumbai and on his return on depositing his passport there, the applicant shall be at liberty to apply for refund of the said amount of Rs.1,00,000/- deposited in the City Civil and Sessions Court at Mumbai. The deposit of the amount of Rs.1,00,000/- shall be a condition precedent for the applicant to travel to Saudi Arabia. On the applicant depositing the said amount, the Trial Court shall hand over the passport to the applicant. In addition the applicant shall inform the concerned police station the address where the

applicant shall reside when in Saudi Arabia and also contact numbers on which he can be contacted during the period that he is in Saudi Arabia. The learned Counsel for the applicant states that in fact, pursuant to the order of this Court dated 11.2.2016, an amount of Rs. 1,00,000/- has already been deposited in the City Civil & Sessions Court, Mumbai and the passport of the applicant has been handed over to him.

5. By the second prayer, the applicant is seeking direction to the Passport authority to renew passport and issue a fresh passport in accordance with the Rules of the Passport Act. As far as this prayer is concerned, it is seen that this Court by order dated 17.2.2015 passed in Cri. Application No.36 of 2015, which had been preferred by the applicant to permit the applicant to apply to the passport authority for re-issuance of the passport, directed that the passport authority shall deal with the application of the applicant in accordance with law. In view of the order dated 17.2.2015, we are inclined to grant prayer of the applicant that the applicant be permitted to apply to the passport authority for re-issuance of the

passport. Passport authority shall deal with the application of the applicant in accordance with law. The applicant on return from Saudi Arabia after fresh passport is re-issued to him, shall deposit his passport back with the Registrar, City Civil and Sessions Court, Bombay within a period of twenty days from his return from Saudi Arabia.

6. Application is allowed in above terms and is disposed of accordingly.

(ANUJA PRABHUDESSAI, J.)

(SMT. V.K.TAHILRAMANI, J.)