

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO. 272 OF 2016  
IN  
CRIMINAL WRIT PETITION NO. 1373 OF 2009**

|                                 |                |
|---------------------------------|----------------|
| Dr. Nazir Juvale                | ...Applicant   |
| Versus                          |                |
| The State of Maharashtra & Ors. | ...Respondents |

Mr. Satish Maneshinde i/b Ms. Lakshmi Raman for the Applicant

Mr. V. B. Konde-Deshmukh, A.P.P for the Respondent No.1-State

Mr. Nilesh S. Patil for the Respondent No. 2

Mr. S. R. Shinde for the Respondent No. 3

**CORAM : REVATI MOHITE DERE, J.**  
**MONDAY, 3<sup>rd</sup> OCTOBER, 2016**

**P.C. :**

1. Heard learned Counsel for the applicant.
  
2. By this application, the applicant seeks a direction to the respondent No. 3 to renew the passport of the applicant for a period of three years in accordance with law. Learned Counsel for the applicant states that the applicant is a doctor facing prosecution for an offence punishable under

Section 304A of the Indian Penal Code and that the proceedings, which are pending before the trial Court, being Case No. 69/PS/2005 have been stayed by this Court vide order dated 2<sup>nd</sup> February, 2011 passed in Criminal Writ Petition No. 1373 of 2009. Learned counsel for the petitioner states that this Court vide order dated 2<sup>nd</sup> December, 2013 had granted the permission for renewal of the applicant's passport for three years and had directed that the applicant to inform the concerned Court about his travel details, if he intended to travel abroad.

3. Learned A.P.P does not dispute the said fact, that under the Notification dated 25<sup>th</sup> August, 1993, passport is to be issued to every citizen. Sub-clauses (i) and (ii) of Clause (a) of the said Notification read thus :

*“(a) the passport to be issued to every such citizen shall be issued-*

*(i) for the period specified in order of the court referred to above, if the court specifies a period for which the passport has to be issued; or*

*(ii) if no period either for the issue of the passport or for the travel abroad is specified in such order, the passport shall be issued for a period one year.”*

4. Perused the papers. It appears that the applicant was permitted to renew his passport for three years earlier vide order dated 2<sup>nd</sup> December, 2013. The applicant has not abused the condition imposed by this Court vide order dated 2<sup>nd</sup> December, 2013.

5. Considering the aforesaid, the application is allowed. Respondent No. 3 is directed to renew passport of the applicant for a period of three years, in accordance with law. The applicant, however, shall intimate the trial Court as well as the concerned Police Station, where the offence was registered, whenever he intends to travel abroad and shall furnish the itinerary of his travel details, including the addresses and telephone numbers, where he would be residing.

6. The application is allowed in the aforesaid terms and is accordingly disposed of.

7. All concerned to act on the authenticated copy of this order.

**REVATI MOHITE DERE, J.**