

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

**CRIMINAL APPLICATION NO. 1327 of 2017
IN
CRIMINAL APPEAL NO.1271 OF 2002**

Moin Vajiruddin Qureshi ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Satyajeet Shirke, i/b Uday Waranjkar for the applicant.

Mr. P.P.Jadhav, APP for the State.

**CORAM: A.M. BADAR, J.
DATED: 15th DECEMBER 2017**

PC:-

1. This is an application for return of passport to the applicant/accused.

2. Heard the learned advocate appearing for the applicant/accused as well as the learned APP. The learned APP argued that the passport of the applicant is not on record.

3. It is seen that the applicant/accused Moin Vajiruddin Qureshi alongwith the co-accused was convicted for the offence punishable under section 3(1)(ii) of the Maharashtra Control of Organised Crime Act as well as under Section 353 r/w 34 of the Indian Penal Code and under section 3 r/w 25 of the Arms Act on 16.10.2002. He is already released on bail by this Court during the pendency of the appeal filed by him. Perusal of the impugned judgment and order does not show that the passport of the present applicant/accused was impounded. Rather, it seems that the same is not even exhibited. It is seen that the same was seized from the house of the present applicant through his father Vajiruddin vide panchnama dated 13.7.2009 by S.R. Kulkarni, Assistant Police Inspector of Crime Branch-2 Pune. The panchnama of seizure of passport of the present applicant is at **Exh.114**. There are no allegations that the passport was forged or bogus passport. It is seen that the applicant is desirous of obtaining said passport for its renewal. In this view of the matter, the following order:

- i) The application is allowed in terms of prayer clause 'a'.
- ii) The same is disposed of accordingly.

(A.M. BADAR, J)