

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1342 OF 2016

IN

CRIMINAL APPEAL NO.1161 OF 2013

MRS.PADMINI PADMANABH PURANIK)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA & ANR.)...RESPONDENTS

Smt.Vaishali Dhotre, Advocate for the Applicant.

Mr.P.H.Gaikwad-Patil, APP for the Respondent – State.

Mr.S.R.Shinde, Advocate for Respondent No.2.

CORAM : A. M. BADAR, J.

DATE : 14th MARCH 2017.

P.C. :

1 This is an application for renewal of Passport No.M0946439 of the applicant.

2 Heard the learned advocate appearing for the applicant / appellant before this court in Criminal Appeal No.1161 of 2013. She argued that on two occasions, despite permission by

this court to travel abroad, she could not got to Canada, due to some personal difficulties and now her passport has expired. She, therefore, wants to renew the passport.

3 I have also heard the learned advocate appearing for respondent no.2. He argued that let the applicant make an application for renewal of passport.

4 I have also heard the learned APP for the State. He argued that the appeal is pending.

5 As the passport of the applicant / appellant has expired, there cannot be any hurdle in permitting her to make an application for renewal of passport to respondent no.2 and respondent no.2 should decide the application for renewal of passport dehors pendency of the appeal filed by the applicant / appellant before this court. Therefore, the order :

i) The application is allowed.

ii) The applicant is permitted to apply for renewal of her

passport and if ultimately the Passport Authority decides to renew the passport, then the applicant / appellant is permitted to travel to Canada for a period of six months on following terms :

a) The applicant shall furnish an additional security in the sum of Rs.50,000/- by furnishing a surety, or by depositing equivalent cash in the office of this court, for her appearance before this court.

b) The applicant shall not visit any country except Canada.

c) The applicant shall give her itinerary and other details such as flight details, ticket number, visa particulars to the Investigating Agency in writing, and shall also file a copy of the communication with this court, at least 48 hours prior to her departure from India.

d)The applicant shall give to the Investigating Agency her telephone number, address where she could be contacted while in Canada; atleast 48 hours prior to her departure from India.

e) The applicant shall undertake to return to India by the end of six months from her departure.

f) The application is allowed in the aforesaid terms.

(A. M. BADAR, J.)