

JPP

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

CRIMINAL APPLICATION NO. 1673 OF 2017

in

CRIMINAL APPEAL NO. 639 OF 2007

Tarik Abdul Karim Parveen @ Tariq Parveen. ... Applicant.

V/s.

State of Maharashtra.

... Respondent.

With

CRIMINAL APPEAL NO. 616 OF 2007

Abdul Sattar Haji Javabhai Radhanpura

@ Sattar Teli.

... Appellant.

V/s.

State of Maharashtra.

... Respondent.

With

CRIMINAL APPEAL NO. 648 OF 2007

Abdul Rehman Abdul Gafoor Shaikh.

... Appellant.

V/s.

State of Maharashtra.

... Respondent.

With

CRIMINAL APPEAL NO. 779 OF 2007

State of Maharashtra.

... Appellant.

V/s.

Iqbal Hassan Ibrahim Kaskar

@ Arabsaab and Ors.

... Respondents.

Mr. B.B. Tiwari i/b. BBT Legal for the Applicant.
Ms. M.M. Deshmukh, APP for the State.

***CORAM : NARESH H. PATIL and
NITIN W. SAMBRE, JJ.***

DATE : 21 DECEMBER, 2017.

P.C. :-

The Applicant prays for relief which he has been praying since last few occasions. The Applicant has annexed copies of orders passed by the Division Bench of this Court in respect of consideration of his request seeking permission to visit China and Saudi Arabia on certain conditions. This time the Applicant has prayed for the following reliefs :-

“(a) This Hon'ble Court be pleased to direct the Passport Authority to renew and issue a fresh Passport to the Applicant in accordance with the rules of the Passport Act.

(b) This Hon'ble Court be pleased to grant permission to the Applicant to travel abroad viz. CHINA for the business development and Saudi Arabia to perform Umrah (Religious Ceremony) and also to attend various other ceremonies along with his relative who are stationed at Saudi Arabia between 16th January 2018 to 15th April 2018.”

2. The learned Counsel for the Applicant submits that the passport is deposited with the Registrar, City Civil and Sessions Court, Mumbai and on suitable conditions the application be considered.

3. The Applicant desires to visit China and Saudi Arabia between 16th January 2018 to 15th April 2018. One of the purpose of his visit to Saudi Arabia is to perform Umrah (Religious Ceremony) and the purpose of visit to China is stated to be business development.

4. The learned APP submits that the Applicant is a convicted person, who was released on bail by this Court. The Appeal is pending since the year 2007.

5. We have perused the orders passed from time to time by this Court. It is informed that the Applicant has reported back to the authorities in India after his return from abroad. The Applicant is said to be original resident of Mumbai. He has his family in Mumbai.

6. After perusing the record the Applicant is allowed to visit China and Saudi Arabia in view of his past record of such visits.

7. The learned Counsel submits that pursuant to the order passed by this Court, the Applicant had deposited Rs.1,00,000/- with the Registrar, City Civil and Sessions Court, Mumbai which is still lying with the office of the Registrar, City Civil and Sessions Court, Mumbai.

O R D E R

(a) The Applicant is allowed to apply for return of passport from the Registrar, City Civil and Sessions Court, Mumbai.

(b) The Applicant may take steps for renewal of passport for a period of one year.

(c) In case the passport is renewed, the Applicant viz. Tariq Abdul Karim Parveen @ Traiq Parveen is permitted to visit China and Saudi Arabia on his furnishing the itinerary of his visit to the Senior Police Inspector, Crime Branch, Unit – I, M.R.A. Marg Police Station, Crawford Market, Mumbai.

(d) After completion of essential conditions, the authorities would consider his application of further request to visit these two countries on merits in accordance with law.

(e) After return of the Applicant shall deposit the passport with the Registrar, City Civil Court and report compliance of his return to the Registrar of this Court by filing an appropriate application.

The Application is disposed of.

(NITIN W. SAMBRE,J.) (NARESH H. PATIL, J.)