

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

CRIMINAL WRIT PETITION NO.343 OF 2018

Sayyed Abdul Kader Mohd.
Siddhique @ Yaar
versus
State of Maharashtra & Anr.

.... Petitioner

... Respondents

.....

- Mr.Dilip Mishra i/b. Mr.Ayaz Khan, Advocate for the Petitioner.
- Mr.D.P. Singh, Advocate for the Respondent No.2.
- Mr.Deepak Thakare, PP a/w Mrs.M.M. Deshmukh, APP for the State/Respondent.

**CORAM : R. M. SAVANT &
SARANG V. KOTWAL, JJ.
DATE : 05th APRIL, 2018.**

P.C. :

1. The above Writ Petition has been filed seeking the following reliefs;

“(a) Direct the Respondent No.1 to return the expired passport of the Petitioner.

(b) Issue directions to Respondent No.2 for issuance of a fresh passport for such period of validity as this Hon'ble Court may deem fit and proper.

(c) Grant any other relief as the case may merit.”

2. It is pursuant to the order dated 05/08/2013 especially clause 9(vi) thereof, that the Petitioner has deposited his

passport with the Investigating Agency. The said order was passed by a learned Single Judge of this Court whilst granting bail to the Petitioner. It is during the pendency of the proceedings before the Special Court dealing with NDPS matters that the passport of the Petitioner has expired on 08/10/2016. This Court has been moved on the basis that the order to deposit the passport was by a learned Single Judge of this Court. However, since the passport has expired during the pendency of the proceedings before the Special Court, we are of the view that it would be for the Petitioner, to move an application before the Special Court for the reliefs which are sought by way of the above Petition. This is in view of the change in the fact situation.

3. The Petitioner would accordingly be at liberty to file an application before the Special Court for the relief sought in the instant Writ Petition. If any such application is filed, the Special Court to consider the same on its own merits and in accordance with law.
4. With the directions as aforesaid, the Writ Petition is disposed of.

(SARANG V. KOTWAL, J.)

(R. M. SAVANT, J.)