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

**WRIT PETITION NO.3612 OF 2018**

Dharmesh Jagdishlal Lamba

**..Petitioner**

**Vs**

The State of Maharashtra

**..Respondent**

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Mr. Rajesh Singh for Petitioner.

Mr. A.R. Patil, APP for State.

**CORAM : A.S.GADKARI, J.**

**DATE : 6<sup>th</sup> October 2018.**

**P.C.:**

**1]** By the present petition, the petitioner has impugned the Order dated 15<sup>th</sup> June 2018 passed by the learned Judicial Magistrate First Class, 6<sup>th</sup> Court, Bhiwandi in C.R. No.II-07/2018 in RCC No.604 of 2018 to the extent of directions issued to the Passport Authority to issue passport to the petitioner for a period of one year from the date of passing of the said Order.

**2]** The applicant is an accused in CR No.II-07 of 2018 registered with the Narpoli Police Station, Bhiwandi, District Thane, for the offences punishable under sections 285 and 336 of the Indian Penal Code. The petitioner had preferred the said application below 9/D for renewal of the passport for a specific period on the ground that the earlier passport was

expired. The Trial Court has allowed the said application and has directed Passport Authority to issue passport to the applicant for a period of one year.

3] The learned counsel for the applicant submitted that, the Passport Authority may be directed to issue the passport for a period of ten years as per the Rules, Regulations and Notifications issued by the concerned Department under the Act.

4] In view thereof, the impugned Order is modified to the extent that, the Passport Authority/Competent Authority to decide the application of the petitioner for renewal of his passport on its own merits and as per prevailing rules, regulations and notifications issued by the concerned Department. Rest of the directions issued by the learned Judge by the impugned Order are not disturbed.

5] The Passport Authority/Competent Authority shall not get influenced by the Orders passed by the Trial Court dated 15<sup>th</sup> June 2018 and this Court in the present petition while considering the application of the petitioner for renewal of his passport.

6] Application is allowed in the aforesaid terms.

Anil  
Chandrakant  
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by Anil  
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**(A.S.GADKARI, J.)**