

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 103 OF 2019
IN
CRIMINAL APPEAL NO. 58 OF 2016**

Karkela Vinit Arya	...Applicant
Versus	
Union of India & Ors.	...Respondents

Mr. Shrikant J. Sonkawade for the Applicant

Ms. Kshitija Wadatkar a/w Ms. Krishna Patel for the Respondent No.1/CBI

Mr. P. H. Gaikwad, A.P.P for the Respondent No.2-State

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 27th MARCH 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks permission to apply for renewal of his passport as per the Passport Rules and also a direction that the respondent-CBI be directed to release the applicant's passport for the purpose of renewal.

3 The applicant has been convicted for the offence punishable under Section 13(1)(e) r/w 13(2) of the Prevention of Corruption Act by the Special Judge and has been sentenced to suffer RI for 2 years and to pay a fine, of Rs.30,000/-, in default, to suffer SI for 3 months, vide judgment and order dated 3rd December 2015. Against the said judgment and order of conviction and sentence, the applicant/appellant has preferred a criminal appeal being Criminal Appeal No. 58 of 2016 in this Court. The said appeal was admitted by this Court vide order dated 4th February 2016. The applicant's application for suspension of sentence and enlargement on bail was allowed vide order dated 4th February 2016 by this Court.

4 It appears that the applicant's passport has expired on 3rd January 2015. The applicant, by this application, has only sought permission to apply for renewal of his passport and has not prayed for permission to travel abroad. It is not in dispute that the applicant's passport is presently with the respondent-CBI.

5 Having regard to the aforesaid, the application is allowed
on the following terms and conditions :

ORDER

(1) The respondent-CBI to release the applicant's passport forthwith, to enable the applicant to renew his passport;

(ii) The Passport Authorities to consider renewal of the applicant's passport for a period of 3 years in accordance with the Passport Act and Rules thereunder;

(iii) On renewal of the passport, the applicant shall deposit the said passport again with the respondent-CBI;

(iv) Liberty is granted to the applicant to file an application, seeking permission to travel abroad, if the need arises in future .

6 The application is disposed of in the aforesaid terms.

7 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.