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

***CRIMINAL APPLICATION NO.415 OF 2019
IN
CRIMINAL APPEAL NO.547 OF 2014***

Kanayalal Lachmandas Adnani ...Applicant

Versus

Union of India and Ors. ...Respondents

Mr.Prasanna Bhangale i/b Ms.Shweta Sangtani, for the Applicant.

Mr.H.S.Venegavkar, for the Respondent - CBI.

Mr.P.H.Gaikwad, A.P.P for the Respondent No.3 - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 2nd APRIL, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks permission to apply for the passport for a period of 10 years.
3. Learned Counsel for the Applicant submitted that on earlier

two occasions, the Applicant was permitted by this Court to travel abroad. He relied on the orders passed by this Court, which are annexed to this Application at Exhibit – 'C' and 'D' respectively. He submitted that the Applicant had complied with the said orders whenever he has travelled abroad.

4. Mr.Venegavkar, learned counsel for the Respondent – CBI does not dispute the fact, that the Applicant had complied with the conditions imposed by this Court while permitting him to travel abroad vide orders passed by this Court, which are annexed to this Application at Exhibit – 'C' and 'D' respectively.

5. Perused the papers. The Applicant was convicted for the offences punishable under Sections 419, 420, 467, 468, 471 r/w 120B of the Indian Penal Code and has been sentenced to suffer maximum imprisonment for 5 years. The Applicant has been also directed to pay a fine. The Applicant being aggrieved by the Judgment and Order of conviction and sentence filed the aforesaid Appeal in this Court. The Appeal has been admitted and the Applicant's substantive sentence is suspended.

The Applicant has also deposited Rs.20 lakhs and has also furnished a bank guarantee for a further amount of Rs.20 lakhs, as per the order of this Court dated 10th July, 2015. It appears that on two earlier occasions the Applicant was permitted to travel abroad vide orders passed by this Court, which are annexed to this Application at Exhibit – 'C' and 'D' respectively. It appears that the Applicant's passport has expired on 25th February, 2019 and as such the Applicant is approaching this Court in view of the Notification dated 25th August, 1993, issued by the Ministry of Affairs.

6. Considering the aforesaid, the application is allowed and the Applicant is permitted to apply for passport afresh. If the Applicant applies for a fresh passport, the Respondent No.2 – Regional Passport Officer, Mumbai, shall consider issuance of passport to the Applicant for a period of 10 years, as per the Passport Act and Rules thereunder.

7. Needless to state, that in case the Applicant intends to travel abroad, on the basis of the passport, so issued, he shall obtain the permission of this Court before travelling.

8. The Application is allowed and disposed of in above terms.
9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.