

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

**CRIMINAL APPLICATION NO. 208 OF 2019
IN
CRIMINAL REVISION APPLICATION NO. 5 OF 2019**

Shri Anand Sunil Saraiya

...Applicant

Versus

State of Maharashtra

... Respondent

.....

Mr.Subodh Desai i/b. Mr.Pawan Mali for the Applicant.

Mr.A.R.Patil, APP for the Respondent-State.

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CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 23 APRIL 2019

P.C.:

1. Upon urgent mentioning, taken on production board.
2. This Criminal Application is moved for renewal of the passport of the applicant/accused, who is facing prosecution under section 304 (A) of the Indian Penal Code in C.C. No.2077/PS/2005. In the said case, the applicant/accused is prosecuted and convicted by judgment and order dated 25th March, 2010 passed by the learned Metropolitan Magistrate, 22nd Court, Andheri, Mumbai. Subsequently, the conviction is upheld by the learned Additional Sessions Judge, Gr. Bombay in Criminal Appeal No. 155 of 2010. Hence, this Revision Application.

3. The learned Counsel for the applicant/accused submits that during the pendency, the applicant/accused has moved this application for seeking no objection for renewal of the passport for a period of minimum five years and also seeking permission to travel abroad i.e., U.S.A., Europe, U.K. and Asia for a period from 1st May, 2019 to 30th April, 2021. He further submits that the applicant/accused is a general manager of a company and, therefore, he has to travel at various destinations for business purpose. During the pendency of his trial so also during the pendency of appeal, the applicant/accused had sought permission of the respective Courts and had travelled abroad and returned. He further submits that the applicant/accused has no criminal record.

4. The learned APP, pursuant to the directions given by this Court on 18th April, 2019, submits that Sr.Police Inspector, Juhu Police Station, Mumbai has submitted a report dated 20th April, 2019 wherein the learned APP points out that the report discloses that except the present case, no other offence is registered against the applicant/accused.

5. The said report is taken on record and marked as **Exhibit -1**.

6. In view of this submission, the Application is disposed off with following order :

ORDER

(i) This Court has no objection if at all the passport is renewed for a period of five years in accordance with law.

(ii) The applicant/accused is allowed to travel abroad i.e., U.S.A., Europe, U.K. and Asia for a period from 1st May, 2019 to 30th March, 2020, on a condition that he should furnish the details of his travel plan and the address of the hotels where he is going to reside in the above-mentioned countries and also submit a proof of his residence in India to Juhu Police Station, Mumbai.

(MRIDULA BHATKAR, J.)