

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1101 OF 2019

IN

CRIMINAL APPEAL NO.665 OF 2005

**ABDUL MATIN ABDUL BASIT @ ABDUL MATEEN ABDUL BASIT)
)...APPLICANT**

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mrs.Tahera Qureshi, Advocate for the Applicant.

Mrs.S.V.Sonawane, APP for the Respondent - State.

**CORAM : INDRAJIT MAHANTY &
A. M. BADAR, JJ.**

DATE: 16th JULY 2019

P.C. :

1 By this application, the applicant/acquitted accused is seeking direction against the concerned Passport authority to issue passport to him apart from other prayers regarding travel to Saudi Arabia.

2 Heard the learned counsel appearing for the applicant/acquitted accused as well as the learned APP appearing for the State.

3 The applicant/acquitted accused was tried for offences under the Prevention of Terrorism Act, 2002, as well as other offences vide Special Case No.1 of 2003 and he came to be acquitted vide order dated 11th June 2005 by the learned Special Judge under Prevention of Terrorist Act for Mumbai. Appeal filed by the State against the applicant/acquitted accused as well as other acquitted accused persons is pending for hearing.

4 The applicant/acquitted accused desires to travel abroad and for that purpose, he had moved an application to the Passport authority. However, that application, it seems, is kept pending for want of court's order.

5 Considering the fact that the applicant is already acquitted by the learned Special Judge and the appeal filed by the

State is pending for hearing before this court, we see no impediment in granting Prayer (a) made in the instant application, for the present. Therefore, the order :

ORDER

- i) The application is allowed in terms of Prayer Clause (a) with a direction to the Regional Passport Authority to issue passport to the applicant/acquitted accused, as per the prevalent rules.
- ii) Liberty is granted to the applicant/acquitted accused to move appropriate application for permission to travel abroad, if required.
- iii) The application is accordingly disposed off.

(A. M. BADAR, J.)

(INDRAJIT MAHANTY, J.)