

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1252 OF 2019

IN

CRIMINAL APPEAL NO.210 OF 2010

MAHENDRA JAGDISH AGARWAL)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mrs.Sangita Musle, Advocate for the Applicant.

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

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

DATE : 2nd AUGUST 2019

P.C. :

1 This is an application for directing the passport issuing authority i.e. the Regional Passport Authority, Mumbai, to renew the passport of the applicant, who happens to be respondent no.1 in Criminal Appeal No.210 of 2010 pending before this court.

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

3 The applicant was an accused in MCOC Special Case No.11 of 2007 and he came to be acquitted by the court vide order dated 5th March 2009 of offences punishable under Sections 387, 506, 467, 468, 474 read with 120B, in the alternative read with Section 34 of the Indian Penal Code as well as under Section 3(1)(ii) read with 3(2), 3(2) and 3(4) of the Maharashtra Control Of Organized Crime Act, 1999. The State has preferred an appeal challenging this acquittal and that is how the applicant is requiring permission of this court to renew his passport.

4 The criminal appeal is yet to be listed for final hearing and as such, we see no impediment in granting permission to the applicant to renew his passport according to Rules and Regulations of the concerned authority. Hence, the order :

ORDER

- i) The applicant is permitted to renew his passport bearing no.Z2084690 according to the existing Rules and Regulations in that regard.

- ii) The application is, accordingly, disposed off.

(A. M. BADAR, J.)

(INDRAJIT MAHANTY, J.)