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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 82 OF 2020

Kishor Tulshiram Sambherao

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

Mr. Aditya Sharma i/by Sudha Dwivedi for Petitioner.
Mr. D. P. Singh for Respondent No.2.
Mr. Arfan Sait, APP for State.

CORAM: B. P. DHARMADHIKARI, ACTING CJ. &
N. R. BORKAR, J.

MARCH 20, 2020.

P.C.

1. Petitioner has been permitted to travel abroad by JMFC Court, Panvel, where trial is pending and he has reported back. His work Visa is expiring on 31st March, 2020 and presently for employment he is in Australia.

2. Petitioner's request for extension of Visa has not been looked into because of pending criminal case.

3. The Respondent No.3 has issued a Police Verification Report which shows Crime No. I-41 of 2017 under Sections 498-A, 323, 504, 506, 406 read with Section 34 of IPC is pending against the petitioner.

4. Though there is some doubt about crime number i.e. whether it is I-41/2017 or 141/2017, we need not go into it since it is not in dispute that there is only one crime registered against the Petitioner.

5. Pending crime mentioned supra cannot come in the way of extension of Visa. It cannot be forgotten that learned JMFC, who is trying that matter, has permitted petitioner to travel abroad.

6. In this situation, we direct Respondent No.2 to proceed to issue Police Clearance Certificate within next three days and forward it to the office of Consulate General at Sidney, Australia through e-mail or other appropriate means.

7. Writ Petition is thus allowed and disposed of.

8. Parties to act on an authenticated copy of this order.

N. R. BORKAR, J.

ACTING CHIEF JUSTICE

**Pravin D.
Pandit**

Digitally signed by
Pravin D. Pandit
Date: 2020.03.20
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