

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

CRIMINAL WRIT PETITION NO.3459 OF 2019

Rajit Anand

...Petitioner

Versus

Union of India & Ors.

...Respondents

Mr. Sanjeev P. Kadam a/w Mr. Prashant Patil i/b Ms. Vilasini
Balasubramanian for the Petitioner

Mr. D. P. Singh for the Respondent Nos. 1 and 2

Mr. A. R. Patil, A.P.P for the Respondent No.3–State

CORAM : REVATI MOHITE DERE, J.
(THROUGH VIDEO CONFERENCING)
THURSDAY, 26th AUGUST 2021

P.C. :

1 Heard learned counsel for the parties.

2 By this petition, the petitioner prays that directions be issued to
the Passport Authority to renew the petitioner's passport bearing
No. Z2287957 for a period of 10 years or 20 years.

3 Perused the papers. The petitioner is a Chief Technical Officer of a Multinational Corporation namely Scholastic Inc., which has its head quarters in New York. It appears that the petitioner is required to frequently travel abroad in connection with his job. The petitioner is arraigned as an accused in C.R. No. 76/2017 registered with the Dindoshi Police Station, Mumbai, for the alleged offences punishable under Sections 255, 420, 465, 467, 468, 471, 120-B r/w 34 of the Indian Penal Code. It appears that the said FIR was registered on the basis of a private complaint filed by one Mr. Panicker, being C.C. No. 489/SW/09. It appears that the applicant has filed a petition being Writ Petition No. 1345/2015 in this Court, seeking quashing of the proceeding and that this Court was pleased to admit the said petition and proceedings have been stayed. It appears that the applicant filed an application seeking direction to the Passport Authority to renew his passport for a period of 10 years. The learned Magistrate allowed the said application and directed the authorities to renew the passport as per law and due compliance thereof.

4 The grievance of the petitioner is that in view of the Notification, the period should have been mentioned by the learned Magistrate, which was not done. It appears that the applicant is working with a Multi National Company and is required to travel abroad often.

5 Considering the aforesaid, the Passport Authority to renew the petitioner's passport for a period of 10 years as per the Passport Act and the Rules thereunder.

6 As far as prayer clause (2) of the impugned order, inasmuch as it directs the applicant not to travel abroad, without the prior permission of the Court, is concerned, learned counsel for the petitioner submits that the said condition is harsh, inasmuch as, the petitioner is required to travel at the eleventh hour and as such, the said condition would be an impediment. He submits that the said condition be quashed. Learned counsel for the petitioner submits that the petitioner will, however, inform the concerned police station whenever he intends to travel abroad and will furnish his itinerary to the concerned Police Station. Statement accepted.

7 In view of the above, condition No. (2) imposed vide order dated 6th March 2019, is quashed and set-aside. The petitioner, however, to inform the concerned police station, whenever he travels abroad and shall furnish his itinerary to the concerned police station.

8 Rest of the conditions imposed vide order dated 6th March 2019 by the learned Magistrate to remain as it is.

9 Accordingly, the petition is allowed on the aforesaid terms and is disposed of.

10 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.