

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

933 CRIMINAL WRIT PETITION NO.1498 OF 2021

YOGESH MURLIDHAR SONAWANE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Petitioner : Shri Narayan B. Narwade
APP for Respondent : Smt.R.P.Gaur
...

...
CORAM : M.G.SEWLIKAR, J.

DATE: 18th January, 2022

PER COURT:-

1. This application is filed for permission to depart from India.
2. An application was made before the learned Magistrate, Aurangabad for renewal of Passport. The learned Magistrate relying on the authority of this Court in the case of *Ashok Govindrao Dingrani Vs. The State of Maharashtra [2016 SCC Online Bom.3766]* and *Ashok Roopchand Jain Vs. The State of Maharashtra and others* in Criminal Application No.1 of 2019 in Criminal Appeal No.307 of 2020 held that Court has no power to issue or renew Passport. What the Court can do is only to give permission to the accused to go abroad. Having regard to this legal position, Shri Narwade, learned counsel for the applicant submits that applicant may be given liberty to apply to the

concerned Magistrate again. With this liberty he is ready to withdraw the petition.

3. No liberty need to be given to the applicant as the learned Magistrate has observed that the applicant is at liberty to seek permission to visit abroad and said request can be decided on its own merits.

4. Since permission is already given by the Magistrate, submission of learned counsel for the applicant need not be considered.

5. With these observations, Criminal Writ Petition is disposed of.

(M.G.SEWLIKAR)
JUDGE

SPT