

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

**INTERIM APPLICATION NO.3100 OF 2022
IN
CRIMINAL APPLICATION NO.535 OF 2018
IN
CRIMINAL APPEAL NO.374 OF 2018**

Anand Madhav Ashtapure Applicant
versus
State of Maharashtra & Anr. Respondents

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- Mr. Rahul Arote, Advocate for Applicant.
- Smt. M. R. Tidke, APP for the State/Respondent No.1.
- Mr. D. P. Singh, Advocate for Respondent No.2.

**CORAM : SARANG V. KOTWAL, J.
DATE : 17th OCTOBER, 2022**

P.C. :

1. This is application for granting no objection to the Applicant for issuance of fresh passport. The Applicant was convicted by the Additional Sessions Judge-1, Thane, Vide Judgment and Order dated 22/02/2018 passed in Sessions Case No.129 of 1999 for commission of offence punishable u/s 304-II r/w 109 of the Indian Penal Code and was sentenced to suffer rigorous imprisonment for 3 years. The Appellant has preferred

Criminal Appeal No.374 of 2018. The Appeal is admitted vide order dated 03/04/2018. Since then the Appeal is pending. The Appeal is not likely to be decided within a reasonably short period. The Applicant is desirous of obtaining passport, but for that he requires permission from this Court. Learned counsel for the Respondent No.2 has no objection if such permission is granted for a period of three years.

2. Considering this no objection given by the learned counsel for Respondent No.2 and also taking into account the fact that the incident in question had taken place in the year 1998, the period from the incident is quite long and the Appeal is not likely to be decided within a short period, the application deserves to be allowed. The Applicant is permitted to have his passport for a period of three years from the date of issuance of the passport.

3. With these observations the application is disposed of.

(SARANG V. KOTWAL, J.)