

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

WRIT PETITION No.4778 OF 2021

Ashok Rameshchandra Jaimalani Petitioner
Vs.
Union of India and Ors. Respondents

Mr. Anant B. Bobe for the Petitioner.
Mr. Shahajirao Shinde for Respondent-1 -Union of India.

***CORAM : REVATI MOHITE DERE &
SHARMILA U. DESHMUKH, JJ.***

DATE : 25th JULY 2022.

P. C.

Heard learned counsel for the parties.

2. By this petition, the petitioner seeks a direction to the Respondent No.2 i.e. the Regional Passport Authorities, Mumbai to issue passport for a period of 10 years.

3. Perused papers. The petitioner, is a practicing advocate, aged 68 years. It appears that the 4 private complaints have been filed against him and others viz., 256/2002, 257/2002, 258/2013 and 259/2013 in the Court of the learned Chief Judicial Magistrate, Thane. The alleged offence is under section 500 read

with 109 of the Indian Penal Code. All the cases are pending till date. It appears that as the petitioner intends to travel abroad, he filed an application before the respondent No.2-Authority on 5/3/2020 for issuance of passport. The petitioner had disclosed the pending criminal cases i.e. private complaints filed against him before the learned Judicial Magistrate First Class, Thane, to the said Authority, however, the respondent No.2- The Regional Passport Authority by communication dated 23/10/2020 directed the petitioner to furnish copy of decision/judgment. It appears that the private complaints have been stayed by this Court vide order dated 7/3/2016. The said order is at Exhibit "K" to the petition.

4. Considering the aforesaid, there is no impediment if a direction is given to the Respondent No.2-Authority to issue the petitioner a passport for 10 years in accordance with the Passport Act and Rules thereunder.

5. Accordingly, the petition is allowed and disposed of.

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

SHARMILA U. DESHMUKH, J. REVATI MOHITE DERE, J.