

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

**INTERIM APPLICATION NO. 3605 OF 2022  
IN  
CRIMINAL APPEAL NO. 1165 OF 2008**

Mohan Shinwar Mali .... Applicant

versus

State of Maharashtra and Anr. .... Respondents

---

Mr. Ratnesh Dube, Advocate for Applicant.

Smt. M. R. Tidke, APP for the State/Respondent No.1.

Mr. S. K. Halwasia a/w. M. M. Nasiri Additional PP for Respondent No.2.

---

**CORAM : SARANG V. KOTWAL, J.**

**DATE : 08<sup>th</sup> DECEMBER, 2022**

**P.C. :**

1. This is an Application for renewal of passport and for permission for Applicant to travel to Australia between 26.01.2023 to 25.10.2023. The Applicant was convicted by the Additional Sessions Judge Palghar in Sessions Case No.49 of 2006 for commission of offence punishable under Section 325 of

the Indian Penal Code and was sentenced to suffer RI for three years and to pay fine of Rs.2,000/- and in default to suffer RI for six months.

2. The Applicant has preferred Criminal Appeal No.1165 of 2008 before this Court. It is admitted and he was granted bail. The Appeal is still not decided. The Applicant wants to visit his son who is working in Australia. He has given address in paragraph-8 of this Application.

3. In the past, the Applicant was given relief in Criminal Application No.975 of 2019 in Criminal Appeal No.1165 of 2008 and the directions were issued to the Passport Authority to consider his request for renewal of the passport. Learned counsel for the Applicant submitted that on that occasion the passport was renewed for a period of one year.

4. Considering this background, I sought response of the Respondent No.2. Learned counsel for the Respondent No.2

very fairly states that the Respondent No.2 has no objection for allowing this Application. In view of this background the Applicant can be granted relief as follows:

**ORDER**

- (i) The Applicant is permitted to travel to Australia from 26.01.2023 to 25.10.2023.
- (ii) The Respondent No.2 shall consider renewal of the Applicant's passport according to Rules for a period of three years.
- (ii) The Application is disposed of.

**(SARANG V. KOTWAL, J.)**