

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

**INTERIM APPLICATION NO. 3805 OF 2022
IN
CRIMINAL APPEAL NO. 932 OF 2019**

Smt. Kamini Rahul Shewale ..Applicant
Versus
The State of Maharashtra & Anr. ..Respondents

Mr. Rajiv Chavan, Sr. Advocate i/b. Priyanka B. Chavan for Applicant.
Mr. S. R. Agarkar, APP for State/Respondent No.1.
Mr. D. P. Singh, for Respondent No.2.

CORAM : SARANG V. KOTWAL, J.
DATE : 22nd NOVEMBER 2022

PC :

1. This is an application for directions to the Respondent No.2 - Regional Passport Office to consider the application of the applicant for renewal/ re-issuance of the applicant's Passport for a period of 5 years. The application mentions that the applicant was convicted for commission of offences punishable under sections 147, 149, 427, 153 and 353 of I.P.C. The maximum sentence imposed on her was one year R.I., besides imposition of fine. The Appeal against the Judgment and order of conviction recorded in Sessions Case No.814 of 2014 passed by learned Additional

Sessions Judge, Greater Mumbai was admitted. It was Criminal Appeal No.932 of 2019. The applicant was also granted bail pending her Appeal. The Appeal is not likely to reach in near future. The application memo mentions that the applicant wants to travel to Dubai for attending a meeting for the purpose of investments in Maharashtra.

2. Heard Shri. Rajiv Chavan, learned Senior Advocate for the Applicant, Shri. Agarkar, learned APP for the State/Respondent No.1 and Shri. Singh, learned counsel for the Respondent No.2.

3. Learned Senior Counsel for the applicant submitted that Annexure 'G' i.e. Notification and Annexure 'H' i.e. office memorandum indicate that permission of the Court where the matter is pending is necessary for such renewal. He submitted that, there is no reason as to why such permission should not be granted. The applicant has not misused the liberty granted to her. Her requirement for renewal of her passport is genuine.

4. Learned counsel for the Respondent No.2 did not really object to grant of relief in this application. He submitted that the

application for renewal of the Passport preferred by the applicant is already under process.

5. Considering these submissions, I do not see any reason as to why permission cannot be granted to the applicant for renewal/re-issuance of her Passport. Though, the prayer is made for such renewal/re-issuance of Passport for a period of five years, at present it appears to be on a higher side and therefore, permission can be granted for a period of three years.

6. Hence, the following order:

O R D E R

i) The Respondent No.2 is permitted to consider the applicant's application for renewal/re-issuance of her Passport for a period of three years.

ii) With these observations, the application is disposed of.

(SARANG V. KOTWAL, J.)