

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPA) NO. 571 OF 2022
IN
CRIMINAL APPEAL NO. 35 OF 2018

Amit S/o. Suresh Puniyani and ors.

...VERSUS...

State of Maharashtra thr. A.C.P. Crime Branch, P.S. Lakadganj, Nagpur

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri J.M.Gandhi, Advocate for appellants.
Shri A.M.Kadukar, Asst. P.P. for respondent/State.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 20th SEPTEMBER, 2022.

The present application is filed by the applicant/appellant no. 2 namely Rajesh Ruplal Puniyani for issuance of direction to the Passport Authority to renew or reissue the passport.

2. It is submitted that the applicant is an income-tax payer and hails from a highly reputed family. He has two children. One daughter who is married and resides in the United States of America and one son who is settled in United Arab Emirates. The applicant's passport was issued initially in the year 1981 and it was valid upto 07/04/1991. Thereafter, the applicant got renewed the same from time to time. Earlier also, the applicant had filed the application before this Court for said direction i.e. direction to the Passport Authority to renew or reissue the passport to the applicant, and accordingly, the Passport Authority in compliance of the said order/ direction reissued the passport in favour of the applicant.

3. The learned Asst. Public Prosecutor had sought time to file reply but he has not filed reply. He has made a statement that the earlier conditions be imposed while giving direction.

4. As held earlier, there cannot be any direction to be issued to the Passport Authority. However, the Passport Authority can be directed to consider for renewal or reissue of passport despite pendency of this appeal.

5. The Passport Authority to consider other requirements on its own merits. As per the order passed by this Court earlier on 17/12/2020 in Criminal Application No. 496/2020, the same condition is imposed i.e. if the applicant intends to leave country, he should seek prior permission of this Court. Accordingly, the application stands disposed of.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar