

19.06.2023

Item No.63
Ct.No.34
dc.

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

C.R.R. 994 of 2023

In the matter of : **Hemant Barwaria** ... Petitioner.

Mr. Somopriyo Chowdhury,
Mr. Kaushik De,
Ms. Mohini Majumdar,
Mr. Raghav Munshi ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Imran Ali,
Ms. Debjani Sahu ... For the State.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Mr. Imran Ali, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

Learned trial court being the learned Judicial Magistrate, 4th Court, Serampore, Hooghly by its order dated 17.02.2023 was of the opinion that since the renewal or issuance of passport is a matter exclusively of the passport authority, the court has not passed any order to interfere with the same.

In view of the notification issued where criminal cases are pending, it is the court concerned having jurisdiction which will give permission for issuance or renewal of passport. Considering the provision of law, learned advocate representing the petitioner would produce the relevant notification before the learned Magistrate. The petitioner is directed to take out a fresh application enclosing the

notification. The learned trial court would grant the normal period of five years for renewal of passport.

However, the petitioner before leaving abroad would inform the court regarding the period and purpose for which the petitioner would be leaving. Immediately after return, the petitioner would inform the court.

The application proposed to be filed by the petitioner should be disposed of within a period of thirty days from the date of filing of such application.

With the aforesaid observations, the revisional application being CRR 994 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties including the learned Trial Court shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)