

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

**INTERIM APPLICATION NO. 1104 OF 2023
IN
CRIMINAL APPEAL NO. 779 OF 2019**

Ganesh Ramchandra Iyer ...Applicant/Appellant
Versus
The State of Maharashtra And Anr. ...Respondents

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Ms. Keral Mehta i/by Mr. Niranjan S. Mundargi, Advocate for the Applicant/Appellant.

Ms. Ameeta Kuttikrishnan, Advocate for Respondent No.2.

Mr. Y. Y. Dabake, APP for the Respondent No.1 – State.

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**CORAM : PRAKASH D. NAIK, J.
DATE : 6th JULY, 2023.**

PER COURT:

1. This is an application seeking directions to the Passport Authority to permit the applicant to apply for renewal of his passport or issuance of fresh passport in accordance with rules for a period of ten years.

2. The applicant has been convicted for offences under Sections 376 & 506 of Indian Penal Code and sentenced to suffer imprisonment for seven years and one year respectively. The sentence of imprisonment was suspended vide order dated 25.08.2020. While suspending the sentence, this Court has

observed that the the applicant had subjected the victim to sexual intercourse who was aged around 46 years. The appeal is admitted and the same is pending for final disposal. The order dated 25.08.2020 also mentions that the applicant shall undertake to remain present before this Court as and when directed.

3. Learned counsel for Respondent No.2 pointed out the Notification which has been annexed to this application which refers to the period for which the permission should be granted for renewal or issuance of passport.

4. Considering the factual aspects as stated above, the prayer for issuance or renewal of his passport can be granted for a period of ten years subject to condition as stated herein under.

ORDER

- i. Interim Application No. 1104 of 2023 is allowed;
- ii. The permission for renewal or issuance of fresh passport can be granted to the applicant for a period of 10 years subject to rules and regulations.
- iii. The applicant shall not travel out of India without prior permission of this Court.
- iv. Interim Application is disposed off accordingly.

(PRAKASH D. NAIK, J.)