

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2394 OF 2023
IN
CRIMINAL APPEAL NO.718 OF 2018

Ruturaj Arjunrao Kale

Applicant

versus

The State of Maharashtra and others

Respondents

Ms.Rekha Musale, Advocate for Applicant.

Ms.PN.Dabholkar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 26th July 2023

PC :

1. Affidavit filed by Advocate for Applicant with regards to service on Respondent no.4 i.e Passport Authority is taken on record.
2. This is an application for reissue/renewal of passport. Applicant is convicted for the offences u/s.147, 148, 307, 324, 325, 427 r/w 149 of Indian Penal Code and u/s.3 of Prevention of Damages to Public Property Act, 1984 and u/s.25 r/w 3 of Arms Act and maximum sentence imposed by the Trial Court is of five years. The judgment of conviction is challenged by Applicant by preferring Criminal Appeal No.718 of 2018, which has been admitted and pending for final hearing. The sentence of imprisonment has been suspended by this Court and Applicant has been directed to be released on bail.
3. Applicant had preferred applications for renewal of passport in the past. By order dated 30th October 2013 this Court had permitted the Applicant to renew his passport and Passport Authority was

directed to renew it as per the prevalent rules. Subsequently by order dated 17th February 2020 this Court had permitted renewal of passport for a period of two years. Learned advocate for Applicant submitted that Applicant has not committed breach of any condition. In the past the passport has been renewed. Hence, the Passport Authority be directed to reissue/renew passport for ten years.

4. Learned APP submitted that in view of earlier orders passed by this Court, for a short period, passport of Applicant may be renewed.

5. In the light of judgment of conviction and permissions granted earlier for renewal of passport of Applicant, the Passport Authority can be directed to reissue/renew passport of Applicant. Hence, I pass following order :

ORDER

- (i) Interim Application is allowed and disposed off;
- (ii) The Passport Authority is directed to reissue/renew passport of Applicant in accordance with Regulations/Rules.

(PRAKASH D. NAIK, J.)

MST