

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

**INTERIM APPLICATION NO. 2741 OF 2023
IN
APPEAL NO. 1157 OF 2008**

Sunil Praveenchandra Shah ..Applicant
VS.
The State of Maharashtra and ors. ..Respondents

Mr. R.N. Gaonkar i/b Mr.Vijay M. Vaghela, for the Applicant.
Ms. P. N. Dabholkar, APP for the State – Respondents no. 1 & 2.
Ms. Neha Patil, APP for Passport Authority- Respondent No. 3.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 10, 2023

P.C. :

1. My attention is invited to the order dated 07/04/2021 passed by this Court on the previous occasion during the pendency of the appeal which reads thus:

“1. The applicant, a practising Chartered Accountant at Pune and who propagate to be associated with several non-government institutions working in the said field has taken out the application seeking renewal of his passport for a period of five years.

2. The applicant is convicted by the District and Sessions Court, Pune on the charge framed under Section 376 of the IPC and the Appeal preferred by the applicant is already admitted by this Court and is ready for hearing.

3. The grievance of the applicant is that his passport has expired on 1" April 2021 and he had preferred an application to the passport authorities i.e. Regional Passport

Office, Pune on 8th March 2021 itself.

4. Perusal of the earlier orders passed by this Court reflect that on earlier occasions, this Court had permitted the applicant to prefer an application for renewal of passport, pending his appeal and renewal was granted to him.

5. The passport authority has no objection in renewing the said passport but according to them, it can be renewed for a period of two years and not for a period of five years as sought for. The stand of the passport authorities appear to be justified one and since the appeal itself is scheduled for hearing in the month of June 2021, the applicant is entitled for getting his passport renewed for a period of two years from 2nd April 2021.

6. The respondent no.3 is directed to take immediate steps to renew the passport of the applicant as directed above.

7. Application is allowed in the aforesaid terms.

8. Parties to act on an authenticated copy of this order.”

2. Learned counsel for the applicant urged that he has to apply for renewal of the passport again and again and that as there is nothing adverse against him, his request for renewal of the passport for a period of 10 years be granted.

3. His request is opposed by learned APP appearing for respondents no. 1 and 2 and learned counsel for respondent no.3.

4. In view of the order dated 07/04/2021 passed in this very appeal and in the light of the observations made therein, I find it expedient to permit the applicant to apply for renewal of the passport for a period of 2 years. Respondent no.3 is requested to take immediate steps to renew the passport of the applicant.

5. The application is disposed of.

(M. S. KARNIK, J.)