

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3054 OF 2023

Praveen Prabhakaran Thazhathethil .. Petitioner
Versus
The State of Maharashtra .. Respondent
...

Mr.Priyanshu Mishra for the petitioner.
Ms.Dashrath Dubey with Mr.Ashutosh Mishra for respondent
no.2.
Mr.Y.M. Nakhwa, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 29th SEPTEMBER, 2023

P.C:-

1 The counsel appearing for the Union of India i.e. respondent no.2, responding to the earlier direction would submit that the applicant had applied for re-issuance of passport on 20/2/2023, but he concealed the information about the pendency of the criminal proceedings against him. This important fact could be ascertained during the police verification, and since the application was found to be suffering from shortcomings, the passport authorities wrote to him that he shall furnish proof of clearance of the case.

Relying upon the decision of the Division Bench in case of *Abbas Hatimbhai Kagalwala Vs. State of Maharashtra and anr*, (WP No. 384 of 2019), the learned counsel would submit that he will have to now file a fresh application for re-issuance of passport and the passport authority may not insist on permission from the Court.

2 The counsel for the applicant undertake to make a fresh application by disclosing the pendency of the criminal proceedings against him in the application and upon such an application being made, it shall be decided by respondent no.2 in accordance with law by taking into consideration the necessary pre-requisites for re-issuance of the passport, without insisting upon the permission of the Court.

On an application being preferred, the same shall be scrutinized within a period of six weeks.

(SMT. BHARATI DANGRE, J.)