

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

CRIMINAL WRIT PETITION NO. 4059 OF 2018

Dattatray Sakharam Khade

..Petitioner

Versus

The State of Maharashtra & Ors.

..Respondents

Mr. Saurabh Butala a/w. Mr. Dilip Satale a/w. Mr. Arya Sapre i/b.
Harshawardhan Salgaokar for Petitioner.

Mr. Arfan Sait, APP for State/Respondent No.1.

Mr. Dashrath A. Dube a/w. Rupesh Dubey for Respondent Nos. 2 &
3.

CORAM : SARANG V. KOTWAL, J.

DATE : 8 AUGUST 2023

PC :

1. Learned counsel for the Respondent Nos.2 and 3 states that, if the petitioner wants to travel abroad and for that purpose if issuance of passport is necessary, such situation is governed by the circular dated 25/08/1993 issued by the Ministry of External Affairs. Learned counsel for the Respondent Nos.2 and 3 submitted that, once the permission is granted by the competent court, the passport authority will have to give effect to the said circular.

2. Considering these submissions, learned counsel for the

petitioner seeks permission to withdraw this petition with liberty to approach the Trial Court to make an application for his travel abroad.

3. Hence, the following order:

O R D E R

- i) The petition is allowed to be withdrawn with liberty to the petitioner to approach the Trial Court for making an application for permission to travel abroad.
- ii) If such application is preferred, it shall be decided in accordance with law.
- iii) If permission to travel abroad is granted by the Trial Court, the Passport authority shall consider issuance of the passport in accordance with the existing rules and circulars; as submitted by learned counsel for the Respondent Nos.2 and 3.
- iv) The petition is disposed of as withdrawn.

(SARANG V. KOTWAL, J.)