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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4292 OF 2022
IN
CRIMINAL APPEAL NO. 762 OF 2017**

Bhalchandra Raghunath Bhoir	...Applicant
Versus	
State of Maharashtra and another	...Respondents

Mr. Aashish Satpute advocate for the applicant
Ms. S. S. Kaushik APP for the State
Mr. D. P. Singh for respondent no. 2

**CORAM : REVATI MOHITE DERE &
GAURI GODSE, JJ.**

DATE : 7th AUGUST 2023

P.C. :

1. By this application, the applicant seeks the following relief:

*“That this Hon’ble Court be pleased to grant
Permission/No objection to the Applicant to obtain
Passport from the Regional Passport Authority, Passport
Seva Kendra, Star Zone Mall Part Of Shop No 3 and 4,
Ground Floor, Dawkhar Wadi, Deolali Gaon, Nashik,
Maharashtra 422101 and this Hon’ble Court be further
pleased to pass the necessary directions to that effect to*

*the Regional Passport Authority, Passport Seva Kendra,
Star Zone Mall Part Of Shop No 3 and 4, Ground Floor,
Dawkhar Wadi, Deolali Gaon, Nashik, Maharashtra
422101.”*

2. Perused the papers. It appears that the applicant alongwith other co-accused were prosecuted in connection with C.R. No. I-149/2019 registered with the Shivajinagar Police Station, Pune for the alleged offences punishable under Sections 147, 148, 302, 307, 427 read with Section 149 of the Indian Penal Code. After a full fledged trial, the applicant alongwith other co-accused came to be convicted by the learned Sessions Judge, Kalyan, vide Judgment and Order dated 25th July 2017 for the offences punishable under sections 302, 307, 147, 148 and 149 of the Indian Penal Code and section 27(1) of the Arms Act.

3. Being aggrieved by the said Judgment and Order, the applicant filed the aforesaid Appeal, being Criminal Appeal No. 762 of 2017 in this Court. Vide order dated 14th June 2018, the said Appeal was admitted. It appears from the annexure, which is at Exhibit ‘F’ at page

21, that the Apex Court enlarged the applicant on bail vide order dated 13th February 2020. Whilst enlarging the applicant on bail, the Apex Court directed the applicant to report to the concerned jurisdictional police station once in a week every Monday at 4.00 p.m. until further orders.

4. Learned counsel for the applicant states that the applicant has been regularly attending the concerned police station as directed by the Apex Court. Statement accepted, since the learned APP is unable to make a statement.

5. It appears that the applicant has applied for issuance of fresh passport, however, the said application has not been considered by the Regional Passport Office, Nashik. Learned counsel relied on the document which is at Exhibit 'E' at page 19 wherein in the remark column, it is stated that "pending Court case, Await for Court order with all original".

6. Considering that the applicant is only seeking a direction to the Passport Authorities to issue a passport to the applicant, we deem it

appropriate to allow the said application and accordingly, direct the Passport Authorities, Nashik to issue passport to the applicant for a period of 5 years, in accordance with the Passport Act and Rules thereunder.

7. Application is allowed in the aforesaid terms.
8. All parties to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.