



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL WRIT PETITION NO. 23 OF 2024

Ashok Chandmal Munot

VERSUS

The State Of Maharashtra And Another

Mr.V.N.Upadhye, Advocate for petitioner

Mrs. S.N.Deshmukh, APP for respondent no.1

Mr.D.B.Gaikwad, Advocate for respondent no.2

**CORAM : R.G.AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : JULY 20, 2024

ORDER :-

By this Writ Petition, the petitioner, who is an accused in R.C.C. No.714 of 2016, pending before learned Chief Judicial Magistrate, Ahmednagar, for the offences punishable under Sections 408, 418 and 420 read with Section 34 of Indian Penal Code, has prayed for grant of 'no-objection' for re-issuance/release of the Passport.

2. Learned counsel for the petitioner submits that the order of issuance of process in R.C.C. No.714 of 2016, has been stayed by the learned single Judge of this Court in Criminal Writ Petition No.1547 of 2022. He submits that the petition may be allowed.

3. The petition is opposed by learned APP and learned counsel for respondent no.2, contending that the petitioner has suppressed the fact that the said case was pending against him.

4. There is no dispute that the order of issuance of process in R.C.C. No.714 of 2016 has been stayed by learned single Judge of this Court, vide order dated 31.01.2023.

5. The only prayer in the present petition is for grant of 'no-objection' for re-issuance/release of the Passport of the petitioner. In the peculiar facts and circumstances of the case, we allow the Writ Petition in terms of prayer clause (B), if there is no other hurdle in the Passport Act.

[NEERAJ P. DHOTE, J.]

[R.G. AVACHAT, J.]

KBP