

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.475 OF 2024
IN
CRIMINAL REVISION APPLICATION NO.5 OF 2019

Shri Anand Sunil Saraiya

...Applicant

vs.

The State of Maharashtra and Anr.

...Respondents

Mr. Pawan Mali, Advocate for the Applicant.

Mr. A.D. Kamkhedkar, APP for Respondent – State.

Mr. D.P. Singh for the Respondent No.2 - Passport Authority.

CORAM : S. M. MODAK, J.

DATE : 22nd FEBRUARY 2024

P.C. :-

1. Heard learned Advocate Shri Mali for the Applicant, learned Advocate Shri Singh for the Passport Authority and learned APP. It is true that the Regional Passport Office is served. Today, Mr. Singh has appeared with instructions from the Department.

2. Two prayers are made in this application. They are :-

- a) Grant permission to travel abroad to various countries w.e.f. 10th February 2024 to 9th February 2027 for three years.

- b) Give no objection for renewal of Passport for 10 years which is about to expire on 5th May 2024.

3. Earlier this Court has permitted the Applicant to travel abroad as per the following orders:-

- (a) Order dated 23rd April 2019 for a period of almost 1 year (page 59).
- (b) Order dated 20th December 2021 for a period of almost 10 months (page 62).
- (c) Order dated 13th December 2022 for a period of almost 1 year (page 65).

4. Applicant is General Manager in Company by name M/s. Aries Technical Sales & Services Pvt. Ltd. (page 31). The said Company is authorised dealer of the Company by name SCANIA CV AB (page 31). Being the General Manager, the Applicant is required to travel abroad to various Countries.

5. Immediately, the Applicant is required to travel on 27th, 28th and 29th February 2024. Copy of letter addressed to the Company in which the Applicant works as General Manager is annexed. The visit is to Singapore whereas, on 13th March 2024 the Applicant is required to

visit Singapore. The letter addressed to the Company is annexed. Both these letters are taken on record and marked as Annexure 'X' for identification.

6. It is true that except these two visits further itinerary is not yet planned. It is but natural. It is true that as per notification issued by the Ministry of External Affairs dated 10th October 2019 if the Court will not specify the period for passport, generally it is issued only for a period of one year. Notification is taken on record and marked as Annexure - 'X-1' for identification. Earlier this Court as per order dated 23rd April 2019 gave renewal of passport for a period of 5 years. On this occasion also it can be renewed for 5 years. So even though there is no further travel itinerary, the job and occupation of the Applicant is such that he is always required to travel abroad. So, I think this prayer (a) can also be allowed.

7. It is true that the Revision is admitted. Conviction is under Section 304-A of Indian Penal Code. So even the hearing of the Revision can be expedited. It is true that any Court in usual course it will take time for final hearing of this Revision. But the fact that the Applicant is required to travel abroad every now and then warrants this

Court to expedite the hearing of this Revision. Because interest of the prosecution also needs to be protected. In view of that, the following order is passed :-

ORDER

- (i) Application is allowed in terms of prayer clause (a) for a period from 10th February 2024 to 9th February 2027 subject to condition that prior to leaving abroad the Applicant is directed to give travel itinerary to Juhu Police Station including details of his stay in foreign country.
 - (ii) Regional Passport office is at liberty to renew the passport for a further period of five years subject to their rules.
 - (iii) Hearing of the Revision is expedited and the Applicant is directed to file private paper book.
 - (iv) Interim Application is disposed of.
8. Criminal Revision Application be kept on **8th March 2024**.

[S. M. MODAK, J.]