

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

CRIMINAL WRIT PETITION NO. 2854 OF 2023

Mahesh Matta ... Petitioner

Versus

Regional Passport Officer & Ors. ... Respondents

Mr. Dinesh Tiwari for the Petitioner

Mr. D. P. Singh for the Respondent Nos.1 & 3

Ms. P. P. Shinde, A.P.P for the Respondent No.2-State

**CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.
WEDNESDAY, 31st JANUARY 2024**

P.C :

1 At the outset, learned counsel for the petitioner seeks leave to amend. Leave granted. Amendment be carried out during the course of the day.

2 By this petition, the petitioner seeks direction to the respondent No.1-Regional Passport Officer, Bandra-Kurla Complex, Bandra (East), Mumbai, to renew the petitioner's passport (File No. B02075982990022), for a period of ten years.

3 Perused the papers. It appears that there were two cases registered as against the petitioner i.e. C.R. No. 7/2014 with the Nirmal Nagar Police Station, Mumbai, for the alleged offences punishable under Sections 403, 409, 420, 465 of the Indian Penal Code and C.R. No. 17/2014 registered with the MIDC Police Station under Sections 405, 406, 463, 465 of the Indian Penal Code.

4 Learned counsel for the petitioner submits that as far as C.R. No. 17/2014 is concerned, the police after investigation have filed a closure report in the said case. As far as C.R. No. 7/2014 registered with the Nirmal Nagar Police Station is concerned, learned counsel for the petitioner informs that charge-sheet is filed in the said case and currently, the case is pending before the 32nd Magistrate Court at Bandra bearing case No. PW/1759/2018.

5 It appears that the petitioner has filed an application seeking renewal of his passport. Learned counsel for the petitioner submits that since the validity of the petitioner's passport expired in October 2022, the petitioner has applied for renewal of the same, however, no decision has been taken by the Passport Authorities on the said application, despite permission being granted by the trial Court for renewal of petitioner's passport. The case against the petitioner is pending since 2014 and as such learned counsel for the petitioner submits that the petitioner will abide by the order dated 25th April 2022 passed by the learned Metropolitan Magistrate, 32nd Court, Bandra, inasmuch as, it directs the petitioner not to travel abroad without the prior permission of the Court. Statement accepted.

6 In view of the aforesaid, there is no impediment in allowing the petition and as such, we direct the respondent No. 1 i.e. the Regional Passport Officer, to renew the passport of the

petitioner for a period of ten years, in accordance with the Passport Act and Rules thereunder.

7 Petition is allowed in the aforesaid terms and is accordingly disposed of.

8 All concerned to act on the authenticated copy of this order.

MANJUSHA DESHPANDE, J. REVATI MOHITE DERE, J.