

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

CRIMINAL WRIT PETITION NO. 3173 OF 2023

Gopal Chandra Sikdar

.... Petitioner

Versus

1. Union Of India
2. The Regional Passport Office, Mumbai
3. The Passport Officer, Thane

.... Respondents

Ms. Krupali H. Rajani, for the Petitioner.

Mr. Rahul Tiwari a/w Ms. Akansha Mishra, A.P.P for the Respondent – State.

***CORAM : REVATI MOHITE DERE &
MANJUSHA DESHPANDE, JJ.***

DATE : 17th JANUARY 2024

P.C. :

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

2. Heard learned Counsel for the parties.

3. By this petition, the petitioner seeks a direction to the respondent No.2 and 3, to renew his passport bearing No.J8481466, for a period of ten years, in accordance with the Passport Act and Rules.

4. Perused the papers. It appears that the petitioner has been arrayed as an accused, under Sections 43 and 44 for violation of Sections 24 and 25 of the Water (Prevention & Control of Pollution) Act, 1974, in a case, which is pending before the Special Environment Court, Kurukshetra. It appears that the said proceeding was challenged by the petitioner before the High Court, at Punjab and Hariyana, and that the said proceeding has been stayed by the said High Court. The said Order is at page No. 53 of the petition.

5. Since the petitioner is a resident of Mumbai, the aforesaid petition has been filed in this Court, as the renewal application has been filed by the petitioner before the Respondent No.3 – The Passport Officer, at Thane.

6. Having regard to what is stated aforesaid, we do not find any impediment in allowing the petition.

7. Accordingly, we direct the respondent No.3 – The Passport Officer, Thane West, to renew the petitioner's passport for a period of ten years, in accordance with the provisions of the Passport Act and Rules, thereunder.

8. Petition is allowed and disposed of in above terms.

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

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.

CHAITANYA
ASHOK
JADHAV
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