

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

CRIMINAL WRIT PETITION NO.4031 OF 2023

Siraj Ibrahim Chanawalla ...Petitioner
Versus
The State of Maharashtra and Anr. ...Respondents

Mr. Kripashankar N. Pandey, for the Petitioner.

Mr. V. B. Konde-Deshmukh, Addl.P.P. for the Respondent No.1- State.

Mr. D. P. Singh, for the Respondent No.2.

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

DATE : 8th JANUARY 2024

P.C. :

1. Heard learned counsel for the parties.
2. By this petition, the petitioner seeks a direction to the respondent No.2 - Regional Passport Office, Mumbai, to renew his passport bearing No.L6125200, for a period of 10 years.
3. The petitioner is aged 78 years and is facing prosecution for the alleged offences punishable under Sections 409, 420 r/w 34 of

the Indian Penal Code. The said case is pending before the learned Additional Chief Metropolitan Magistrate, 2nd Court at Mazgaon, Mumbai, being C.C. No.229/PW/2018. It appears that the petitioner applied for renewal of his passport, since his passport validity expired on 29th December 2023. Since as per the Notification of the Central Government, if time period is not mentioned, the passport will have to be issued only for a period of one year, learned counsel for the petitioner seeks a direction to the passport authority to issue passport for a period of 10 years.

4. Mr. Singh, learned counsel for the respondent No. 2 has placed on record the Notification dated 25th August 1993, issued by the Ministry of External Affairs. He states that only if the period is mentioned by a Court that the passport will be issued for that period, failing which the authority will be constrained to issue passport only for a year as per the said notification.

5. Having perused the papers, we deem it appropriate to issue a direction to the Passport authority, to renew the petitioner's

passport bearing No.L6125200, for a period of 10 years, as per the Passport Act and the Rules, thereunder.

6. Needless to state, that in the event the petitioner intends to travel abroad, he shall seek permission of the trial Court before leaving the country.

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

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

MANJUSHA DESHPANDE, J.

REVATI MOHITE DERE, J.