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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 62 OF 2024

Ismail Usman Mansuri

...Applicant

Versus

1. The State of Maharashtra
2. The Regional Passport Officer
3. The Senior Inspector of Police
Pydhonie Police Station.

...Respondents

Mr. Gangaji B. Naik for the Applicant.

Mr. K.V.Saste, Addl.PP for the Respondent-State.

WAPI Kadam & PSI N.T.More from Pydhonie Police Station, present.

**CORAM : REVATI MOHITE DERE &
PRITHVIRAJ K. CHAVAN, JJ.**
DATE : 26th JULY, 2024

P.C. :

1. Since the Registry has not placed the aforesaid application before us, learned Counsel for the applicant has handed over a copy of the aforesaid application so as to enable us to proceed with the hearing of this petition. Accordingly, we have taken the said

application on board.

2. Heard learned Counsel for the parties.

3. By this petition, the petitioner seeks a direction to the Pydhonie Police Station, Mumbai, to give necessary NOC to the Passport Authority, which is necessary for renewal of the petitioner's passport i.e. for the petitioner's application No. BO3078102563823.

4. Learned Counsel for the petitioner submits that there is no case as of today, which is pending against the petitioner. Learned Counsel for the petitioner has placed on record the order passed in C.R.No.76 of 2006 registered with the Pydhonie Police Station, Mumbai, by the learned Additional Chief Metropolitan Magistrate, 2nd Court, Mazgaon, Mumbai on 24th June, 2024. It appears from the said order that after almost 18 years, chargesheet was filed in the said case against the petitioner alongwith an application seeking

condonation of delay in filing the chargesheet. The learned Metropolitan Magistrate has rightly refused to take cognizance of the said offence in view of Section 468 of the Cr.P.C. and has accordingly discharged the petitioner from the case. Thus, as of today, there is no case registered against the petitioner with the Pydhonie Police Station.

5. Learned Addl.P.P, on instructions, states that the Pydhonie Police Station will give the necessary NOC for renewal of the petitioner's passport which is pending before the respondent No.2 i.e. the Regional Passport Officer, Mumbai, within two weeks from today. Statement accepted.

6. On receipt of the NOC, the Passport Authority i.e. the respondent No.2 to take appropriate steps to issue passport to the petitioner, expeditiously, provided the application is in accordance with the Passport Act and rules thereunder.

7. The petition is allowed and disposed of on the aforesaid terms.

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

PRITHVIRAJ K. CHAVAN, J.

REVATI MOHITE DERE, J.