

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

**INTERIM APPLICATION NO.647 OF 2024  
IN  
CRIMINAL APPEAL NO.797 OF 2015**

Uday Mukund Dharmadhikari .... Applicant

versus

The State of Maharashtra & Anr. .... Respondents

.....

- Ms. Farzana Khan i/b. Harshad E. Palwe, Advocate for Applicant.
- Mr. Vithal B. Konde-Deshmukh, APP for the State/Respondent.

**CORAM : SARANG V. KOTWAL, J.  
DATE : 23<sup>rd</sup> JULY, 2024**

**P.C. :**

1. This an application for permission of renewal of passport and leave to the Applicant to travel abroad. The Applicant has preferred Criminal Appeal No.797 of 2015, which is admitted and is pending before this Court. He was an accused in Sessions Case No.233 of 2012 before the Additional Sessions Judge, Nashik. He was convicted u/s 304-II r/w 34 of the Indian Penal Code and was sentenced to suffer rigorous imprisonment for two years and to pay a fine of Rs.10,000/-. The subject

matter pertains to an incident dated 18/01/2011 when an arch fell on an autorickshaw and two persons died in that accident. The Applicant was working as a Senior Officer in Nashik Municipal Corporation. He was also held responsible for the death.

2. Learned counsel for the Applicant submitted that he has a good case on merits. On the past two occasions, orders were passed for renewal of passport and then for applying for visa. Now the situation is that his passport is renewed and he is also granted visa for travelling to Germany. The Applicant has filed an affidavit in support of his application. He has reiterated those facts. It is further mentioned that his daughter is pregnant and the Applicant and his wife want to be with her in Germany. Therefore, he is seeking permission to travel to Germany from 22/07/2024 till 11/10/2024.

3. Considering the background and the lesser sentence, as well as the limited role attributed to the Applicant, I am inclined to grant such permission. Therefore, the Applicant is permitted to travel to Germany.

4. Hence, the following order :

**ORDER**

- (i) The Applicant is permitted to travel to Germany upto 31/10/2024.
- (ii) Before leaving for Germany, the Applicant shall submit his travel itinerary and contact details in Germany with the investigating agency.
- (iii) The application is disposed of.

**(SARANG V. KOTWAL, J.)**