

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

Interim Application (st) No.20347 of 2024
In
Criminal Revision Application No.641 of 2008

Jignesh Shah ... Applicants.

V/s.

State of Maharashtra

... Respondents.

Mr. H.S. Dedhia	Advocate for the Applicants.
Ms. Sangita E. Phad	APP for Respondent No.1 - State.

CORAM : S.M. MODAK, J

DATE : 27 September 2024.

P.C. :

Taken on Board by way of a praecipe.

2. Considering the limited issue involved and to decide finally, the learned APP is requested to address the Court. She has gone through the papers. The interim application can be disposed of in terms of prayer clause (b).

3. The applicant is facing prosecution for the offences punishable under Sections 465,467,468,471,420,201 read with Section 34 of IPC vide Sessions Case No.819/2005. He applied for discharge and it was rejected on 15 November 2008. The present revision application against the said order was admitted on 12 March 2009 and trial Court proceedings are stayed.

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4. The applicant was intending to travel abroad and that is why he filed a Criminal Application No.195/2014 for issuing directions to the trial Court. This Court has directed the trial Court to entertain and decide such application. Now the applicant again intends to travel abroad. The applicant apprehends that trial Court may not decide the application because the proceedings are stayed. As per the Circulars issued by the Department of External Affairs, Ministry for renewal of passport, the no objection from the Court seized of criminal case is required. It is made clear that even though the proceedings are stayed, still the trial Court can proceed with the application filed by the applicant for renewal of passport for permission to travel abroad. Hence, the application is allowed in terms of prayer clause (b) of the application.

5. The interim application is disposed of.

6. All concerned to act on an authenticated copy of the order.

(S.M. MODAK, J.)