



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (APPP) NO. 338 OF 2024
IN
CRIMINAL APPLICATION (APL) NO. 649 OF 2020

Vinod Bapurao Khedkar and ors. -Vs-The State of Maharashtra and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.S.M.Vaishnav, Advocate for the applicants.
Mr.I.J.Damle, A.P.P for non-applicant State.

**CORAM VINAY JOSHI &
MRS. VRUSHALI V. JOSHI, JJ.**
DATE : 24th APRIL, 2024.

1. Applicant No.3 seeks directions to Regional Passport Office to issue passport in the name of applicant No.3. The applicant No.3 has produced a copy of notification dated 25th August 1993 issued by Ministry of External Affairs requiring the orders of Court for issuing of passport, if a criminal prosecution is pending. Moreover, Section 6(2)(f) of the Passport Act,1967 makes out a ground for refusal of passport in case of pending criminal prosecution.

2. We have gone through the contents of pending criminal prosecution and it's gravity. We see no reason to preclude the applicant from getting renewal of his passport on account of pendency of this proceeding.

3. In view of above, we direct that the passport authority may take appropriate decision for renewal/issuance of applicant's passport without having

regard to the pendency of this proceeding. In other words, we have no objection to grant passport on account of pendency of criminal proceeding.

4. Criminal Application stands disposed of.

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1. Learned Advocate appearing for the applicants orally seeks leave to amend the Criminal Application as charge-sheet has been filed.
2. Leave as prayed for is granted. Necessary amendment be carried out within a period of two weeks.
3. Stand over after Summer Vacations.

JUDGE

JUDGE