



This order is corrected as per speaking to the minutes order dated 26.02.2025

962-APPLN-365-25 (Corrected).odt

{1}

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO.365 OF 2025
IN
CRIMINAL APPEAL NO.643 OF 2016**

Rahim Khan Sandu Khan,
Age: 43 years, Occu.: Business,
R/o. Pani Ka Bamba Galli,
Aqsa Masjid Ke Samne,
Kiradpura, Aurangabad.

... Applicant

Versus

1. The State of Maharashtra
Through Police Inspector,
Jinsi Police Station,
Aurangabad/

2. The Union of India,
Regional Passport Officer, Mumbai,
Through Ministry of External Affairs.

... Respondents

.....

Mr. Joydeep Chatterji, Advocate for Applicant
Mr. S.S. Dande, APP for Respondent No.1 – State
Ms. Sudha Chintamani, Standing Counsel for Respondent No.2

.....

CORAM : ABHAY S. WAGHWASE, J.

DATED : 25 FEBRUARY 2025

PER COURT :-

1. Instant application is filed in Criminal Appeal No.643 of 2016, wherein judgment and order passed by the learned Additional Sessions Judge, Aurangabad in Special Case No.58 of 2007 for commission of offence under Section 135 of Indian Electricity Act, has been questioned.

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2. Learned counsel for applicant submitted that by way of present application, prayers are made to allow the applicant to travel abroad for a pious pilgrimage during the period from April 2025 to September 2025. He further submitted that against the above referred judgment and order of conviction, appeal has been preferred, and the same is admitted. That, even this Court is pleased to suspend the sentence and grant him bail. That, appeal being of 2016, there are no prospects of appeal being taken earlier. He further submitted that applicant intends to go for Haj Pilgrimage, it is compulsory in his religion. Therefore, he seeks permission to travel abroad during the period from April 2025 to September 2025. He further pointed out that his wife, brother, and brother's wife, who will accompany him, have been allotted slots by the Haj Committee. Only because of pendency of appeal, applicant is required to apply for grant of permission. Hence, this application.

3. Learned counsel for respondents submitted that necessary orders be passed.

4. In view of the grounds raised in the application, and as appeal is of the year 2016, and there is no immediate chance of appeal being taken for hearing, for religious purpose, application deserves to be allowed. Hence, the following order.

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ORDER

(i) Applicant is allowed to travel abroad from April 2025 to September 2025 is hereby granted on following condition:

- (a) Applicant shall furnish his undertaking of not misusing the liberty and shall supply details and itinerary of his journey, tickets and its dates, details of airlines, details of accommodation at Saudi Arabia, and also furnish details of the properties owned by him to the concerned police station and this Court, prior to his proposed pilgrimage.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane