



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

**CRIMINAL APPLICATION NO. 3039 OF 2024
IN BA/1109/2022**

Laxman Sakharam Jadhav
Age: 73 years, Occu.: Retire,
R/o. Near Gas Godown Pipeline Road,
Ahmednagar, Dist.Ahmednagar.

..Applicant
(Org. Accused)

Versus

The State of Maharashtra
Through Police Station Officer,
Tofkhana Police Station,
Dist.Ahmednagar.

.....Respondent

.....

Advocate for Applicant : Mr.Z.H.Farooqui h/f. Mr.N.V. Gaware Patil
APP for Respondent : Mr.V.M.Chate

.....

CORAM : ABHAY S. WAGHWASE, J.

DATE : 2 APRIL, 2025

ORDER :

1. Instant application is for relaxation of condition imposed by this Court by order dated 07-10-2022, more particularly, regarding surrender of Passport.

2. Learned counsel pointed out that applicant was booked for crime no.6293 of 2020 registered with Topkhana Police Station, Ahmednagar. That, he applied for bail vide Bail Application No.1109 of 2022 and after hearing both the sides, this Court was pleased to

grant bail. Learned counsel invited attention of this Court to clause no.(iii) of the operative order and seeks modification on the ground that applicant intends to get his Passport renewed it being expired as he further intends to travel abroad. Such condition is now sought to be modified and relaxed.

3. Learned APP strongly objected on the ground that there is no objection for renewal of Passport, however, applicant shall surrender his Passport after renewal and shall file fresh application for getting permission, if he intends to travel abroad.

4. After going through the papers, it appears that Bail Application No.1109 of 2022 pressed into service for regular bail and this Court by order dated 07-10-2022 granted bail by imposing conditions. The specific condition, which is now subject matter of present application is clause no.(iii) of the operative order, which is as under :

“(iii) The applicant shall surrender his Passport to the concerned police station.”

5. Now chargesheet is filed. Applicant intends to get his expired Passport renewed and therefore, he obviously needs it back for the process of renewal.

As regards to submission of learned counsel that applicant intends to travel abroad, he will be required to file fresh application for getting permission to travel abroad. Learned counsel agreed to such opinion expressed by this Court.

Therefore, present application is confined only to modification and relaxation of clause no.(iii) of the operative order. Accordingly, clause no.(iii) of the operative order of order dated 07-10-2022 passed in Bail Application No.1109 of 2022 is modified as per following order :

ORDER

- (i) Investigating machinery to handover existing Passport to the applicant for renewal purpose and applicant shall complete process of renewal of Passport.
- (ii) After renewal of Passport, applicant shall surrender the Passport again with the concerned Police Station.
- (iii) If applicant intends to travel abroad, he shall file fresh application for getting permission.
- (iv) Criminal Application No.3039 of 2024 is disposed of.

(ABHAY S. WAGHWASE)
JUDGE