

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 361 OF 2025

IN

CRIMINAL APPEAL NO. 419 OF 2017

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Sanjay Jagannath Malve

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondents

.....
Mr. Ritesh M. Thobde a/w Mr. Darshan Singh for the applicant.
Mr. A.A. Naik, APP for the respondent - State.

.....

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : October 13, 2025.

P. C. :

1. Heard learned counsel for the applicant.
2. By this application, the applicant seeks permission to renew his passport No. K1357694 and a direction to respondent no.1 to issue No Objection Certificate to renew the passport.
3. The applicant's passport expired on 13th November 2021 and the applicant had erroneously made application for a new passport on 11th

November 2011. Vide communication dated 18th November 2024, it was conveyed to him by the authority that instead of making application for a new passport, the application must apply to renew his old passport. The passport authority, vide communication dated 27th November 2024 and 28th November 2024 informed the applicant that renewal of the passport could only proceed upon obtaining specific permission of this Court, in view of the pending criminal appeal.

4. The sentence imposed on the applicant has been suspended and the applicant has been enlarged on bail by order dated 7th May 2024 passed by this Court.

5. The learned counsel relied upon the decision of the Hon'ble Supreme Court in *Vangala Kasturi Rangacharyulu Vs. Central Bureau of Investigation, (2021) SCC OnLine SC 3549* in support of his submission that renewal of passport cannot be refused on the ground of pendency of the criminal appeal.

6. We have heard learned APP for the respondent, who opposed the application.

7. However, we see no impediment in allowing the application in terms of prayer clauses (b) and (c), which read thus :-

“(b) The Applicant be granted permission to renew his Passport No. K1357694 on such terms and conditions as this Hon’ble Court may deem fit;

(c) The Respondent be directed to issue a No Objection Certificate (if so required by law) to renew the Passport of the applicant;”

8. The renewal of the passport be granted for a period of 5 years. However, it is made clear that before undertaking travel outside India, the applicant must obtain necessary permission from this Court.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik]