

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

CRIMINAL WRIT PETITION NO.2313 OF 2025

Rohan Ishwar Chaudhari ... Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. Aditya Gupta i/b Ms. Nehal Desale for the Petitioner.

Ms. Kranti T. Hiwrale, A.P.P for the Respondent-State.

Mr. D. P. Singh, for the Respondent No.2-The Regional Passport Officer.

P.I. - Yogesh Avhad from Passport Verification Special Branch, Thane is present.

PSI – Vijay Bhalerao from Khadakpada Police Station, Kalyan, Thane, is present.

***CORAM : REVATI MOHITE DERE &
DR. NEELA GOKHALE, JJ.***

DATE : 30th APRIL 2025

P.C. :

1. Heard learned counsel for the parties.
2. By this petition, the petitioner seeks a direction to issue a Police Clearance Certificate in favour of the petitioner and for removal

of the adverse remark in the petitioner's Police Verification Report.

3. Perused the papers. The petitioner is the brother-in-law of the first informant, who has lodged an FIR i.e. C.R. No.241 of 2022 with the Khadakpada Police Station, Kalyan, Thane, alleging offences punishable under Section 498-A, 323, 504, 506 and 34 of the Indian Penal Code. Apart from the petitioner, who is the brother-in-law of the first informant, the petitioner's brother and other family members have also been arraigned as accused in the said case. It appears that the petitioner has received a Conditional Letter of Acceptance from the University of Galway, Ireland for the course of MSc in Computer Science – Data Analytics. Pursuant to the said Conditional Letter of Acceptance, the petitioner has paid a sum of 1,000 € (One Thousand Euros Only) towards the non-refundable confirmation deposit amount required by the said University to secure a seat for the petitioner in the said University. We are informed that the academic session is to commence in September 2025, for which the petitioner is in the process of applying to the Irish Embassy for grant of a student Visa. In

this connection, the petitioner has filed an application seeking grant of PCC before the respondent No.2-The Regional Passport Officer. It appears that the petitioner had also filed an application before the trial Court i.e. before the learned Judicial Magistrate First Class (1st Court), Kalyan seeking 'No Objection' to go overseas for the period commencing from 8th September 2025, for a period of two years, for his higher education to Ireland. The said application was allowed by the trial Court vide order dated 12th March 2025. Accordingly the trial Court granted 'No Objection' to the petitioner for travelling abroad i.e. Ireland for a period commencing from 8th September 2025 for a period of two years, on certain terms and conditions.

4. We are informed that the police have given Police Verification Report to the passport authority stating therein that although there is a case registered against the petitioner, the petitioner has received 'No Objection' from the trial Court to travel abroad, in connection with his education. The petitioner is the brother-in-law of the first informant and is a student. It appears that the case in question

emanates from a matrimonial dispute.

5. In the peculiar facts, since the petitioner has got permission to travel abroad and keeping in mind that the petitioner is a student, the passport authority to issue a Police Clearance Certification after noting that there is a case registered against the petitioner, however, the trial Court has permitted the petitioner to go overseas for his education.

6. Petition is allowed and disposed of in above terms.

All concerned to act on the authenticated copy of this order.

DR. NEELA GOKHALE, J.

REVATI MOHITE DERE, J.