JYOTI RAJESH MANE
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

905. CR. WRIT PETITION NO. 3528 OF 2025

Abdul Rab Abdul Kader Khan .. Petitioner
Versus
State Of Maharashtra And Anr .. Respondents

AND
906. CR. WRIT PETITION NO. 3529 OF 2025

Nafisa Abdul Rab Khan .. Petitioner
Versus
State Of Maharashtra And Anr .. Respondents

Mr. Kamar Ali Shaikh , for the Petitioner in both WPs.

Mr. Mayur Sonavane, APP for the Respondent-State.

Mr. D.P. Singh, for the Respondent No.2.

CORAM: RAVINDRA V. GHUGE
&
GAUTAM A. ANKHAD, JJ.
DATE: 25th JULY, 2025

P. C.

1. In both these Petitions, the Petitioners have put forth identical prayers. We are reproducing prayer clauses (b), (c) and (d), from the first Petition, for reference purpose, as under:-

(b) That the Petitioner is a permanent resident of the address as mentioned in the cause title of this Petition.

(c) That the Petitioner's Passport bearing number U4310333 has expired on 21.01.2021.

(d) That the Petitioner wishes to travel to Saudi Arabia for the purpose of performing holy pilgrimage i.e. Umrah.

2. It is conceded that none of the Petitioners have moved any Application to the Passport authority for seeking, either for re-issuance of Passport or for renewal of Passport. There is nothing pending before the Passport authorities. A lengthy submission was canvassed by the learned Advocate for the Petitioner before this Court on 24th July, 2025.

3. In the light of the above, there is no issue before this Court, either to deal with or to decide. **Both these Petitions are, therefore, dismissed**.

4. The learned Advocate for the Petitioners submits that he would move an appropriate application before the trial Court for seeking permission for re-issuance of Passport keeping in view that both the Petitioners are accused in proceedings before the trial Court. We record that if the Petitioners make such applications, they would render proper assistance to the trial Court by citing the Judgments of the Hon'ble Supreme Court in ***Vangala Kasturi***

Rangacharyulu Vs. Central Bureau of Investigation[1], **Narendra K. Ambwani Vs. Union of India and Ors.**[2] ***Rita Verma Vs. Union of India & Ors.***[3] and the Orders of the High Court passed in ***Abbas Hatimbhai Kagalwala Vs. The State of Maharashtra and Anr.***[4] ***Virendra Singh Vs. the Union of India, through the Regional Passport Officer***[5] and the order passed in Writ Petition No.291/2025 dated 30th June, 2025 by this Court at Goa (***Alex Richadson Laurindo D'Souza Vs. State of Goa & Anr.)***.

5. We also deem it appropriate to convey to the Union of India and the Passport Office of India that, henceforth, they should refer to the aforesaid citations while dealing with the cases of such candidates against whom, criminal proceedings are pending.

[GAUTAM A. ANKHAD, J.] **[RAVINDRA V. GHUGE, J.]**

1 2021 SCC Online SC 3549
2 2014 SCC OnLine Bom356
3 SLP(C) No.7481/2024 dated 20.09.2024
4 WP No.384/2019 dated 23.08.2022
5 SB Civil Writ Petition No.2422/2024 dated 07.03.2024