

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

**INTERIM APPLICATION NO.684 OF 2025
IN
CRIMINAL APPEAL NO.1176 OF 2019**

Chetan Tanaji Nimhan ...Applicant
Versus
State of Maharashtra & Anr. ...Respondents

Mr. Karan Gajra a/w Adv. Sanchita Sontakke, for the Applicant.
Ms. Geeta P. Mulekar, APP for the Respondent No.1-State.
Mr. D. P. Singh, for the Respondent No.2.

**CORAM : SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.
DATED : 1st AUGUST, 2025**

P.C. :-

1. Heard Mr.Gajra, learned Counsel for the Applicant, Ms.Mulekar, learned APP appearing for the Respondent No.1-State and Mr.Singh, learned Counsel appearing for the Respondent No.2.
2. The Applicant herein was convicted under Section 302 and 452 read with Section 34 of the I.P.C. *vide* Judgment and Order dated 19.07.2019 passed by the learned Additional Sessions Judge, Pune in Sessions Case No.652 of 2013.
3. Assailing the Judgment and Order dated 19.07.2019, the Applicant, who was one of the co-accused, has preferred Criminal Appeal

No.1176 of 2019 which is pending disposal before this Court. During the pendency of the Appeal, by Order dated 25.01.2024 passed in Interim Application No.1325 of 2022, the Applicant was allowed to go on bail. The instant Application has been filed with a prayer to grant no objection/Approval to the Respondent No.2 so as to process the Application for issuance of passport filed by the Applicant. By producing a copy of the Order dated 12.12.2024 passed by a co-ordinate Bench of this Court (Coram: Bharati Dangre & Manjusha Deshpande, JJ.), the Applicant's Counsel submits that the Accused No.1 was granted permission to seek renewal of his passport by conveying the approval of this Court to the concerned authority.

4. Mr. Gajra, learned Counsel for the Applicant submits that, in this case, the Applicant, who is the Accused No.3, is seeking issuance of fresh passport. Mr. Singh, learned Counsel for the Respondent No.2 submits that, if an Order is passed by this Court, the authority will process the Application of the Applicant for issuance of passport. Ms. Mulekar, learned APP, however, submits that, although she is not opposing the prayer, yet, even if the passport is issued, the Applicant should not be permitted to travel abroad without the leave of the Court. Therefore, the aforesaid conditions be imposed by this Court.

5. After hearing the submissions of learned Counsel for the parties and on reviewing the material placed before us, we are inclined to allow the

prayer made in the Interim Application. We therefore provide that it will be open for the Respondent No.2 to process the Application for issuance of passport if any, submitted by the Applicant. It is, however, made clear that the Applicant shall not travel abroad without obtaining the leave of this Court.

6. We also make it clear that this no objection is *qua* the present proceedings and shall not have any bearing in any other proceeding pending against the Applicant in any other Court.

7. With the above observations, the Interim Application stands disposed of.

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)