

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.783 OF 2025
IN
CRIMINAL WRIT PETITION NO.1399 OF 2013

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Dr.Amitabha De

...Applicant

In the matter between:-

Dr.Amitabha De

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr.Kanhaiya S. Yadav – Advocate for Applicant-Petitioner.

Smt.M.M.Deshmukh – APP for Respondents – State.

CORAM : SARANG V. KOTWAL &
S.M.MODAK, JJ.

DATE : 22nd APRIL 2025

P.C. :

1. Heard learned counsel Mr.Yadav for the Applicant-Petitioner and learned APP Smt.Deshmukh for Respondents-State.

2. Leave is granted to add appropriate prayer in the Application. Amendment be carried out forthwith.

3. Learned counsel for the Applicant submitted, that he has served a notice of today's listing of this matter on the Satish Sangar

learned Advocate for the Respondent No.4. He is the original First-Informant. Learned counsel for the Applicant further informs the Court, that the Respondent No.4 has passed away, and as of today, nobody has substituted him. The Application is concerning renewal of passport of the Applicant. The passport is valid upto 13th October 2025. This Criminal Writ Petition No.1399 of 2013 is pending since 2013. The said Writ Petition is for quashing of the F.I.R. registered vide C.R. No.6 of 2013 at Powai Police Station lodged at the instance of the Respondent No.4. A Division Bench of this Court has issued Rule in this Petition with interim relief to the Petitioner vide the order dated 10th October 2013.

4. Learned counsel for the Applicant submitted, that the Applicant's daughter, at present, is staying in U.S.A. and working as an Assistant Professor in the University of Nebraska Lincoln, USA. Therefore, it is necessary for the Applicant to get the passport renewed, so that, he can visit his daughter.

5. Learned APP left the matter to the discretion of the Court. We have considered these submissions, and the present situation.

6. The Petition is pending since 2013, and it is not

likely to be decided in the near future. The Applicant is already protected vide the aforesaid order. Therefore, we see no difficulty in allowing this Application. Hence, the following order:-

O R D E R

- (i) The pendency of these proceedings shall not come in the way of the Applicant to get his passport renewed for a period of five (5) years.
7. The Application is disposed of.

(S.M.MODAK, J.)

(SARANG V. KOTWAL, J.)