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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1001 OF 2025
IN
CRIMINAL APPEAL NO.90 OF 2022**

Anwar Ali Javed Ali Khan	...Applicant
<i>Versus</i>	
State of Maharashtra & Anr.	...Respondents

Ms. Tahira Qureshi for the Applicant.
Mr. K. V. Saste Addl.PP for Respondent No.1-State.
Mr. D. P. Singh for Respondent No.2.

**CORAM : SUMAN SHYAM &
SHYAM C. CHANDAK, JJ.
DATED : 30th JULY 2025**

PC. :-

1. Heard Ms. Tahira Qureshi, learned Counsel for the Applicant, Mr. Saste, learned Additional P. P. for Respondent No.1-State and Mr. Singh, learned Counsel for Respondent No.2.
2. Respondent No.1 i.e. the State of Maharashtra has filed an Appeal against the Judgment and Order of acquittal by means of which the Applicant herein was acquitted of the charges brought against him. The Appeal against acquittal, numbered as Criminal Appeal No.90 of 2022, has already been admitted by this Court. However, there is no order from the

Court restricting the travel of the Applicant abroad. Notwithstanding the same, his Application for issuance of passport made before Respondent No.2 has not been acted upon till date merely due to non-availability of NOC from this Court. Such NOC is allegedly required due to the pendency of the Appeal against acquittal filed by the State. Under such circumstances, the instant Application has been filed with the following prayers :-

- “(a) To direct the concern passport authority to renew/issue fresh passport to the Applicant for period of 10 years or so.
- (b) To allow the Applicant to travel Saudi Arab to perform Umrah in the of April 2025 for period of 20 days on any terms and conditions which this Hon’ble Court may deem fit and proper.”

3. While addressing arguments before this Court on the merit of this Application, Ms. Qureshi has submitted that, at this stage, she is only pressing the prayer No. (a) and, therefore, a direction be issued to Respondent No.2 to process the Application submitted by the Applicant for issuance of passport.

4. Mr. Singh, learned Counsel for Respondent No.2 has submitted that if an order accepting the prayer No. (a) is passed by this Court, the

Application for issuance of passport to the Applicant will be processed by the authorities as per law.

5. Mr. Saste, learned Addl. PP. has submitted that even if the passport is issued to the Applicant, his travel abroad should not be permitted unrestricted. He has, however, not opposed the prayer made by the Applicant for issuance of passport.

6. After hearing the learned Counsel for both the sides and upon taking note of the fact that the Applicant as already been acquitted by the learned trial Court, we are of the view that the Applicant has furnished sufficient justification to allow the prayer No. (a). We, accordingly, provide that the Application filed by the Applicant for issuance of passport shall be open for consideration by the concerned Authority i.e. Regional Passport Authority. The same may be processed as per law. However, in case of any travel abroad by using such passport, the travel itinerary of the Applicant should be made known to the State, atleast three weeks in advance, by furnishing intimation through proper channel.

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

(SHYAM C. CHANDAK, J.)

(SUMAN SHYAM, J.)