

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

Interim Application No.2435 of 2025

In

Criminal Appeal No. 140 of 2023

Jagdishprasad Mohanlal Joshi

@ J.M. Joshi

... Applicant

V/s.

Union of India and others

... Respondents

Ms. Sanskruti Harode i/b. Parinam Law Associates	Advocate for the Applicant
Mr. A.S. Gawai	APP for the State.

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CORAM : S.M. MODAK, J

DATE : 9th September 2025.

(IN CONTINUATION OF ORDER DATED 16th JULY 2025)

P.C. :

Heard learned Advocate for the Applicant-Accused No.5 who is convicted by the Special Court as per the MCOC Act. This Court after hearing both the sides on 16th July 2025 has permitted the Applicant to leave India for the period starting from 22nd July 2025 upto 20th August 2025 subject to certain conditions. When this order was passed, I was having the roster of criminal appeal.

Subsequently, that roster is not with me but the issue which has cropped up after 16th July 2025 is that, Applicant could not get the custody of the passport from the trial Court because the trial Court has sent the passport along with the record of the case in the hearing of the present criminal appeal. Considering this fact the matter is placed before me.

2. After inspection of the record, learned Advocate has brought to my notice following two passports are issued in the name of present Applicant. They are as follows:

- (i) The passport is valid from 9th August 2003 upto 12th March 020 which is annexed to the application as Exhibit-316, filed by this Applicant before the trial Court. It was the application for re-submitting the passport to the trial Court after renewal. Today it is clarified that Applicant is not in need of this passport because the validity has expired.
- (ii) The Application vide Exhibit-296, is re-submitting the passport bearing No.U6188973 filed by the Applicant. It is accompanied by the passport. Its validity is from 1st December 2021 upto 30th November 2031. The Applicant is in need of this passport for traveling abroad.

3. A copy of the order below Exhibit 219 is tendered on behalf of the Applicant. The learned Special Judge vide order dated 23rd

March 2021 was pleased to direct the Regional Passport Authority to renew the passport for 10 years.

4. In view of passage of time now the Applicant wants modification of the period which is already granted in the earlier order. Separate affidavit to that effect is tendered. The same is taken on record and marked as Annexure 'X'. In Para No.8 in the table the itinerary is mentioned. It is from 21st September 2025 upto 16th October 2025. Whereas the copy of letter addressed to the Investigating Officer-CBI, Delhi is also annexed. CBI is informed about the mobile number and the property details. Though annexures are not there, the covering letter bears the acknowledgment of the CBI. It is dated 22nd July 2025. It is true that the CBI is not informed about today's circulation. Be that as it may, the Applicant can be directed to inform about passing of this order. In view of that the following modified directions are issued:

- (1) The office is directed to hand over the Passport No.U6188973 to the Applicant for the purpose of traveling abroad subject to furnishing an undertaking that he will return the passport soon after he returns to India on 16th October 2025.
- (2) the period of journey is modified as 21st September 2025 to 16th October 2025.
- (3) This order be communicated to CBI, Delhi Unit prior to leaving India.

- (4) In view of the above directions, the Applicant is exempted from giving attendance to Mumbai Unit on 13th October 2025. Instead of that he is directed to give attendance on 27th October 2025.
- (5) Interim Application stands disposed of.

(S.M. MODAK, J.)