



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL WRIT PETITION NO.51 OF 2025

Ramesh s/o Narayanrao Thokare,
Aged about 62 years, Occ: Retired,
R/o Raveeshri Shri Krishna Nagar,
Chikhli Road, Sunder Khed,
Tah & Dist. Buldhana.

...PETITIONER

...V E R S U S...

1. The State of Maharashtra,
through Crime Investigation Department
(C.I.D.), Bhandara, Tah. and Dist. Bhandara.
2. Regional Passport Office, Nagpur
Having its office at CGO Complex,
B-Block, Seminary Hills, Nagpur.

...RESPONDENTS

Shri N.R. Raut, Advocate for petitioner.
Shri N.R. Roade, APP for respondent no.1.
Shri Saurabh Chaudhari, Advocate h/f Shri N.S. Deshpande, D.S.G.I. for
respondent no.2.

CORAM :- M.W. CHANDWANI, J.

DATE :- 26/03/2025

ORAL JUDGMENT:

1. **Rule.** Rule made returnable forthwith. Heard finally with
the consent of learned counsels appearing for the parties.
2. The petition challenges order the dated 10.10.2024
below Exhibit-538 passed by the learned Additional Chief Judicial
Magistrate, Bhandara in R.C.C. No.95/2018 wherein, the
application for renewal of passport for the period of three years
has been rejected.

3. The contention is that the learned Additional Chief Judicial Magistrate, Bhandara has already granted permission to renew passport for one year but as per the website of the US Embassy, waiting period for the interview for grant of Visa is above 500 days; therefore, if the passport renewed for a year, till the time the applicant is called for Visa Interview, the passport will get expired. Therefore, a prayer was made before the learned Additional Chief Judicial Magistrate for renewal of passport for three years.

4. The reason given by the learned Additional Chief Judicial Magistrate for rejection of the application is that the period of urgent request for Visa to travel abroad has not been shown and no schedule with intention to travel abroad has been given by the petitioner.

5. I find support in the argument of the learned counsel for the petitioner that considering the waiting period for Visa, unless he has a passport carrying validity of at least two years, he cannot plan for visiting abroad, in particular, the United States. Needless to mention that, vide notification dated 25.08.1993, the Passport Authority has relaxed the condition and permitted to the citizens

of India against whom proceedings in respect of an offence alleged to have been committed by them are pending before the criminal court and issued the passport for the period mentioned in the order of the Court.

6. Considering the circumstances particularly, the waiting period for Visa, a case is made out for directing the Passport Authority to consider the application for renewal of passport for a period of three years from today subject to compliance of other conditions, if any. Consequently, the order dated 10.10.2024 passed below Exhibit-538 passed by the learned Additional Chief Judicial Magistrate, Bhandara in R.C.C. No.95/2018 is set aside.

7. Needless to mention that the petitioner has to comply with the conditions mentioned in the bail order.

With this, the petition stands disposed of.

JUDGE

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