



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION NO.301 OF 2025

IN

CRIMINAL APPEAL NO.169 OF 2017

(Mahendra s/o Manohar Shahare Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. A.M. Jaltare, Advocate for the appellant.
Mr. A. Madiwale, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 7, 2025.

By this application, the appellant is seeking permission to approach before the passport authority for obtaining the passport.

2. It is contention of the learned Counsel for the appellant that he is found guilty of the offence punishable under Section 306 of the Indian Penal Code and sentenced to undergo rigorous imprisonment for the period of 3 years and to pay fine of Rs.5000/- in default to suffer simple imprisonment for one month. He further submitted that the appellant is ready to proceed with the appeal but in the meantime if no objection is issued to him to obtain the passport, he will approach to the passport authority for issuance of fresh passport.

3. Considering there are no subsequent events or crime registered against the present appellant and considering the nature of the dispute, the allegation

against the present appellant that he instigated and abetted the deceased to commit suicide and thereby he committed suicide. Thus, considering the nature of the crime, there is no harm or apprehension if he is permitted to obtain the passport, and therefore, the application deserves to be allowed. Accordingly, I proceed to pass following order :

- (i) The application is allowed.
- (ii) The appellant shall approach to the passport authority with appropriate application for issuance of the passport.
- (iii) The passport authority shall consider his application for issuance of the Passport and shall issue the passport.
- (iv) The appellant shall not travel abroad without prior permission of this Court.

4. The application stands disposed of.

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Place the appeal before the Court on 23/07/2025 for final disposal at the end of admission board.

(URMILA JOSHI-PHALKE, J.)