

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4228 OF 2024
IN
BAIL APPLICATION NO. 1751 OF 2023**

Nasir Mohammed Yusuf Shaikh ...Applicant
Versus
The State Of Maharashtra ...Respondent

Mr. Shadab Khopekar, *for the Applicant.*
Ms. Poonam P. Bhosale, *APP for the State-Respondent.*
PSI – V. R. Shinde, *Charkop Police Station, is present.*

CORAM DR. NEELA GOKHALE, J.
DATED: 25th FEBRUARY 2026

PC:-

1. When the matter was called out, Mr. Shadab Khopekar, learned counsel for the Applicant, appeared through video conferencing and sought modification of condition (h) of the order dated 8th September 2023. However, while the matter was being heard unilaterally, he logged off. In the interest of the Applicant, I have proceeded to hear Ms. Poonam Bhosale, learned APP. The condition sought to be modified reads thus:

“h) The applicant shall surrender his passport, if any, to the investigating officer.”

2. As per the averments made in the Application, the Applicant seeks return of the passport which he had deposited with the Investigating Officer pursuant to the said bail order. According to the Applicant, the passport has expired and hence, he is desirous of renewing the same.

3. On 13th November 2025, when the matter was heard, Mr. Gaurav Bhawnani, learned counsel for the Applicant, appearing on that date, submitted that the Investigating Officer had informed him that they were not able to trace the passport. In these circumstances, by order dated 13th November 2025, I had requested Ms. Bhosale to take further instructions from the Investigating Officer concerned.

4. Today, Ms. Bhosale, on instructions, states that the passport is traced and is presently in the custody of the Investigating Officer concerned.

5. Since the Applicant seeks to renew the passport, the Investigating Officer will accompany the Applicant to the

concerned Passport Authority/Embassy to submit an application for renewal of the passport. On the date when the Applicant is to receive the renewed passport, the Passport Authority/Embassy is directed to handover the renewed passport to the Applicant only in the presence of the Investigating Officer concerned. Once the passport is renewed and handed over to the Applicant, custody of the passport will be returned and retained by the Investigating Officer concerned till further orders.

6. The Interim Application is partly allowed and disposed of accordingly.

(Dr. Neela Gokhale, J)