

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

**CRIMINAL WRIT PETITION NO.5609 OF 2025**

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Mrs. Chitra Kunal Ghaste

.. Petitioner

Vs.

State of Maharashtra & Ors.

.. Respondents

...

Mr. Som Sinha a/w. Ms. Divya Vishwanath a/w.  
Ms. Rutuja Thakkar i/b. Veer Kankaria, Advocates  
for the Petitioner

Mr. S. V. Gavand, Additional Public Prosecutor for  
Respondent No.1.

Mr. D. P. Singh, Advocate for Respondent Nos.4 & 5

**CORAM : SHREE CHANDRASHEKHAR, CJ &  
GAUTAM A. ANKHAD, J.**

**DATE : 8<sup>th</sup> JANUARY 2026**

**P.C. :**

This writ petition has been filed with the following prayers:

*"a. Issue a Writ of Mandamus, or any other appropriate writ, order, or direction under Articles 226 and 227 of the Constitution of India, directing Respondent Nos. 2 and 3 (Senior Inspectors of Police, N.M. Joshi Marg Police Station and Mumbai Naka Police Station) to issue a No Objection Certificate (NOC) in favour of the Petitioner for the purpose of renewal and change of name in her passport, in accordance with law;*

*b. Issue a Writ of Mandamus, or any other appropriate writ, order, or direction directing Respondent No. 4 (Regional Passport Officer, Mumbai) to process and issue the renewed passport of the Petitioner in her new name "Mrs. Chitra Lalwani," without insisting on any police NOC, as there is no subsisting court order restraining her travel abroad;*

*c. Declare that the pendency of FIR No. 688 of 2024 registered at N.M. Joshi Marg Police Station is not a legal bar to the Petitioner's renewal or re-issuance of passport, in the absence of any order passed under Section 10(3) or 10A of the Passport Act, 1967;*

*d. Pending the hearing and final disposal of this Writ Petition, direct the Respondents to provisionally process and issue the Petitioner's passport with her new name or to grant such interim clearance/permission as will enable the Petitioner to travel abroad and join her employment in Sharjah;*

*e. Pass such further and other orders as this Hon'ble Court may deem just, fit and proper in the facts and circumstances of the case;*

*f. Provide for costs of this Petition.”*

2. Mr. Som Sinha, the learned counsel for the petitioner states that First Information Report No.688 of 2024 has been registered against the petitioner at N.M.Joshi Marg Police Station for committing offences punishable under section 408, 420 read with section 34 of the Indian Penal code. The learned counsel for the petitioner further states that the petitioner has been granted anticipatory bail in Anticipatory Bail Application No.179 of 2025. The learned counsel for the petitioner states that in the order dated 21<sup>st</sup> January 2025 an observation has been made that the petitioner is not directly involved in commission of the said crime. The petitioner was married on 1<sup>st</sup> November 2004 and received a decree of dissolution of marriage under the judgment dated 24<sup>th</sup> April 2025. She is seeking change of her name in the passport, which has been published in the official government gazette and is annexed at page 40 of the writ petition.

3. Notwithstanding the aforesaid events and circumstances, we are of the opinion that as long as the crime registered vide First Information Report No.688 of 2024 continues, it is not permissible that her name can be changed. Mr. S. V. Gavand, the learned Additional Public Prosecutor informed the Court that Writ Petition (St) No.10025 of 2025 challenging the registration of First Information Report No.688 of 2024 has been disposed of primarily

for the reason that by that time a charge-sheet was laid in the Court and cognizance of the offence was taken by the Court concerned.

4. In view thereof, we are not inclined to entertain this writ petition but at the same time, we do not intend to close the doors for the petitioner and give her an opportunity to approach the Court concerned challenging the order taking cognizance or any other further order passed by the criminal Court.

5. Writ Petition No.5609 of 2025 is dismissed in the aforesaid terms.

**[GAUTAM A. ANKHAD, J.]**

**[CHIEF JUSTICE]**