

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 555 OF 2026

Vijay Bholanath Sharma ...Petitioner

**Versus**

State Of Maharashtra ...Respondent

Mr. Bharat Manghani, a/w Gautam Jain, for the Petitioner.  
Mr. D. J. Haldankar, APP for the State.

SANTOSH  
SUBHASH  
KULKARNI

**CORAM: N. J. JAMADAR, J.**  
**DATED: 13<sup>th</sup> FEBRUARY, 2026**

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**PC:-**

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 10<sup>th</sup> October, 2025 passed by the learned Magistrate, whereby while granting permission to renew the Passport, the learned Magistrate has imposed a condition of obtaining prior permission of the Court before travelling abroad.
3. The learned Counsel for the petitioner submits that while releasing the petitioner on bail, no such condition of obtaining prior permission of the Court before travelling abroad was imposed. When the petitioner approached for permission for renewal of the Passport, the learned Magistrate has imposed the aforesaid condition, which operates onerously. The learned

Counsel for the petitioner invites the attention of the Court to the order dated 30<sup>th</sup> July, 2024 passed by the learned Magistrate, whereby the petitioner was released on bail.

4. I have perused the order by which the petitioner was enlarged on bail. The learned Magistrate had then not imposed the condition of obtaining the permission of the Court before travelling abroad. The petitioner was required to approach the learned Magistrate for renewal of Passport in view of the Notification dated 25<sup>th</sup> August, 1993 issued by the Central Government, under Section 22 of the Passports Act, 1967.

5. In the absence of a condition in the bail order, not to travel abroad, without the permission of the Court, the learned Magistrate could not have put a further restraint on the petitioner. Therefore, clause (4) of the impugned order dated 10<sup>th</sup> October, 2025, directing the petitioner to obtain prior permission of the Court before travelling abroad, stands quashed and set aside.

6. The petition stands disposed.

[N. J. JAMADAR, J.]