

(2023) 10 GUJ CK 0073

In the Gujarat High Court

Case No : Criminal Misc.Application (Modification Of Order) No. 1 Of 2023 In R/
Criminal Misc.Application No. 9788 Of 2018

Satyam Khara

APPELLANT

Vs

State Of Gujarat

RESPONDENT

Date of Decision : 27-10-2023

Acts Referred:

Citation : (2023) 10 GUJ CK 0073

Hon'ble Judges : Hasmukh D. Suthar, J

Bench : Single Bench

Advocate : Mrudul M Barot, Hardik Mehta

Final Decision : Disposed Of

Judgement

Hasmukh D. Suthar, J

1. Rule. Learned APP waives service of rule on behalf of the respondent-State.

2. By way of the present application the applicant has prayed as under :-

" (a) YOUR LORDSHIPS may be pleased to delet the condition no 9(b) & (f) from the order dated 28/06/2018.

(b) YOUR LORDSHIPS may be pleased to modify the condition, and release the passport of the applicant for the purpose of renewal as the passport of the applicant is already expired.

(c) And to pass such other and further orders as may be deemed just and proper;"

3. Learned advocate for the applicant submits that the applicant's passport has expired, and therefore the applicant is required to take steps for renewal of the same by making an appropriate application along with Passport before the concerned Regional Passport Authority.

4. The learned Additional Public Prosecutor appearing for the State submits that applicant may be permitted to take steps for renewal of the Passport, but upon renewal, he may be asked to re-submit the same before the concerned trial court, in view of the condition imposed by this Court / Co-ordinate Bench of this Court while granting bail.

5. Considering the aforesaid submission, It is expedient to pass an order to release passport for the purpose of renewal, the concerned trial court shall release the passport of the applicant for the purpose of renewal, subject to deposition of Rs.50,000/-. The applicant shall file undertaking before the concerned trial court that upon renewal of the passport, he will re-submit the same before the concerned trial Court within a period of one week when he surrender renew passport, Rs.50,000/- shall be returned to the applicant after due verification.

6. With the above direction, the present application stands disposed of. Rule is made absolute to the aforesaid extent. Direct service is permitted.