

**IN THE COURT OF SPECIAL JUDGE FOR C.B.I.
FOR GREATER BOMBAY AT MUMBAI**

MISC. APPLICATION NO. _____ OF 2017

IN

CBI SPECIAL CASE NO. 83 OF 2003

MR. VIJAY RAMANLAL DOSHI

Applicant/
Orig. Accd. No. 15

V/s.

CENTRAL BUREAU OF INVESTIGATION,
B.S. & F.C., Mumbai.

Respondent/
Complainant

**CORAM : H.H. THE SPECIAL JUDGE,
SHRI. JAYENDRA C. JAGDALE,
(C. R. No. 51).**

DATED : 10th October, 2017.

Mrs. Charulata S. Khanna, Ld. Adv. for the applt./orig. accd. no. 15.
Mr. Omprakash, Ld. S.P.P. for the CBI/Respdt./Complainant.

ORAL ORDER BELOW EX-268

1 This is an application placed by the applicant/original accused no. 15 Mr. Vijay Ramanlal Doshi for grant of permission to renew his passport bearing no. N-9470363 for the period of 10 years.

2 Heard arguments advanced by Ld. Advocate for the applicant/original accused no. 1 and Ld. S.P.P. for the CBI/Respondent.

The Ld. Advocate for applicant/accused has reiterated the contents of application. The prosecution has raised objection to grant prayer in the application. It has given say on the backside of application. I have perused the application and documents produced on behalf of the applicant/accused. I have also perused the say given by the prosecution.

3 As per contention of the applicant/accused, after arrest at the time of granting of bail, he was directed to deposit his passport to the CBI. The charge-sheet has been filed by CBI alleging offences u/sec. 120-B r/w 409, 420, 465, 467, 468 & 477-A of the Indian Penal Code and u/sec. 13(2) r/w 13(1)(c) & (d) of the Prevention of Corruption Act, 1988. The applicant/accused has diligently followed all the directions of this Court. He has not misused the liberty granted by the Court. Vide Ex-254 & 258, the applicant/accused had moved the applications for renewal of his passport and this Court was pleased to allow him to renew his passport vide order dated 29/10/2013. The applicant/accused's passport was renewed bearing no. N-9470363, issued by the Regional Passport Office, Mumbai and now it expires on 12/05/2018. Hence, the applicant/accused has filed this application and also has to make an application to the Regional Passport Office, Mumbai. The applicant/accused has therefore prayed to grant him permission to renew his passport for the period of 10 years and allow the application.

4 The CBI has raised the strong objection, whereby it has contended that the present application is too pre-mature as passport will expire in May 2018. Further 10 years period is too excessive. Furthermore, the accused may abscond if permitted for renewal of his

passport by travelling abroad. No liberty is absolute. Hence, it has prayed that the application should be rejected.

5 It appears from the record that the applicant/accused is following the direction of this Court scrupulously. This is an undisputed fact. Earlier also the liberty was granted to applicant/accused vide order dated 29/10/2013. Hence, there is no harm to allow the applicant/accused to renew his passport for further period. But, the applicant/accused vide this application prays for grant of permission to renew his passport for the period of 10 years. The period asked by the applicant/accused to renew his passport is too excessive. It would be just and proper to grant permission to the applicant/accused for not more than 5 years to renew his passport. Hence the application deserves to be partly allowed. Accordingly, in the interest of justice, I proceed to pass the following order :-

ORDER

1 Application at Ex-268 in CBI Special Case No. 83/2003 is hereby partly allowed.

2 The applicant/original accused no. 15 MR. VIJAY RAMANLAL DOSHI is hereby permitted to renew his passport. This Court has no any objection for renewal of the passport of applicant/original accused no. 15 MR. VIJAY RAMANLAL DOSHI, bearing no. N-9470363 for further five years, if permissible as per Passport Rules.

3 Issue Certificate accordingly.

:4:

Order Below Ex-268

4 Applicant/accused is hereby directed to abide by all other conditions of bail without fail.

5 Application at Ex-268 in CBI Special Case No. 83/2003 stands disposed of accordingly.

(Order dictated and pronounced in open court.)

(Jayendra C. Jagdale)
The Special Judge for CBI,
City Civil & Sessions Court,
Gr. Bombay.

Dated : 10/10/2017

Dictated on : 10/10/2017
Transcribed on : 10/10/2017
Signed on : 10/10/2017
Delivered to Certified :
Copy Section on

:5:

Order Below Ex-268

“Certified to be true and correct copy of the original signed judgment/order”.

Upload Date & Time : 10/10/2017 at 5.25 p.m.

Smt. G. K. Kotawadekar

Name of the Stenographer

H.H.J. SHRI. JAYENDRA C. JAGDALE (C. R. No. 51)

Date of pronouncement of judgment/order :-10/10/2017

Judgment/order signed by the P.O. on :-10/10/2017

Judgment/order uploaded on :-10/10/2017