

* IN THE HIGH COURT OF DELHI AT NEW DELHI
#16
+ W.P.(C) 2115/2010 & CM 4231/2010

JITENDER SINGH Petitioner
Through Mr. Medhanshu Tripathi, Advocate.

versus

SUPERINTENDENT (POLICY)
REGIONAL PASSPORT OFFICE Respondent
Through Mr. Sachin Datta with
Ms. Gayatri Verma, Advocate.

CORAM: JUSTICE S. MURALIDHAR

ORDER
27.10.2010

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1. The Petitioner questions the show cause notice dated 22nd February 2010 issued by the Superintendent (Policy) Regional Passport Office ('RPO'), Delhi that in view of the registration of FIR No. 36/2008 dated 23rd June 2008 under Section 506/509 IPC & 66 of the Information Technology Act, 2000 against the Petitioner which is in the criminal court the Petitioner should show cause why the passport issued to him should not be revoked under Section 10(3)(e) of the Passport Act, 1967 ('Act').

2. It appears that in relation to the above FIR, the Petitioner applied for and was granted a conditional anticipatory bail on 11th December 2008 by this Court in particular requiring the Petitioner not to contact the complainant's daughter. However, the RPO received a communication from the DCP (Special Cell) Delhi on 3rd February 2010 stating that the Petitioner had violated the said bail condition. Consequently the impugned show cause notice was issued to the Petitioner.

3. The Petitioner sent a reply to the show cause notice on 16th March 2010. Subsequently, a charge sheet was filed in the Court of the learned Chief Metropolitan Magistrate, Delhi in FIR No. 36/2008 on 27th April 2010.

4. In the considered view of this Court, the appropriate course to be adopted is to require the Respondents to consider the Petitioner's reply to the show cause notice and after giving the Petitioner an opportunity of being heard, pass a reasoned order.

5. The Petitioner will appear on 22nd November 2010 at 11.00 am before the RPO. After giving the Petitioner a hearing, a reasoned order will be passed by the RPO within a period of three weeks thereafter and the said order will be communicated to the Petitioner within two weeks thereafter. If aggrieved by such order, it will be open to the Petitioner to avail of the statutory remedy available to the Petitioner by way of appeal, and any other remedy that may be available to him in law.

6. The petition and application are disposed of.



S. MURALIDHAR, J.

OCTOBER 27, 2010
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