

Court No. - 3

Case :- WRIT - C No. - 9062 of 2023

Petitioner :- Amitab

Respondent :- Union Of India Secy. Deptt. External Affairs
New Delhi And 4 Others

Counsel for Petitioner :- Mahendra Pratap Singh

Counsel for Respondent :- A.S.G.I.,C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

1. Heard learned counsel for petitioner, learned Standing Counsel for the State and Sri S.B. Pandey, learned Senior Advocate and Deputy Solicitor General of India assisted by Sri Varun Pandey appearing for respondent nos.1 and 5.

2. The petitioner, a young boy of 24 years, has approached this Court claiming that he is already selected for a job in Merchant Navy and he is required to join by 26.10.2023. He has applied for a passport, but the same is not being issued to him on the ground that FIR No.0128 of 2023 at Police Station Lalganj, District Raibareli is lodged against him under Sections 308, 323, 504 and 506 I.P.C.

3. Learned counsel for petitioner states that till date, no charge sheet is filed in the said case against the petitioner and there are only general allegations against the petitioner.

4. In the given circumstances, there was no reason for the passport officer to detain passport of petitioner from being issued.

5. Learned Standing Counsel, on the basis of instructions received from the Station House Officer concerned, states that till date, charge sheet is not filed against the petitioner.

6. Learned counsel for respondent no.5 states that since no charge sheet is filed against the petitioner till date, passport of petitioner can be processed and issued.

7. In the given circumstances, respondent no.5-Passport Granting Officer, Passport Office, Lucknow is directed to process and issue passport of petitioner, in case there is no other legal impediment, by 24.10.2023.

8. With the aforesaid directions, present writ petition stands

allowed.

9. Let a certified copy of this order be provided to the learned counsel for petitioner on payment of usual charges today itself.

[Manish Kumar,J.] [Vivek Chaudhary,J.]

Order Date :- 18.10.2023

Sachin