

Court No. - 3

Case :- WRIT - C No. - 9763 of 2023

Petitioner :- Laxmi Agarwal

Respondent :- Union Of India Thru. Secy Ministry Of
External Affairs New Delhi And Another

Counsel for Petitioner :- Rishi Kumar Pandey, Gyanendra
Kumar Pandey

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

Hon'ble Vivek Chaudhary, J.

Hon'ble Manish Kumar, J.

Heard learned counsel for the petitioner and Sri Varun Pandey, learned counsel for the respondent no. 1.

Petitioner has approached this Court claiming that she, aged about 82 years is going to Thailand to attend the marriage of her grand child on 05.12.2023.

It is further submitted that petitioner had applied for passport which was duly issued to her but thereafter a notice is sent to her that a criminal case of trespass under Section 447 of the IPC which is punishable with imprisonment of either description for a term which may extend to three months, with fine or which may extend to five hundred rupees, or with both, pending against her, hence her passport is held. Petitioner undertakes that after attending the marriage, she would return back before 31.12.2023.

On the face of record, the offence against the petitioner is minor in nature. Even otherwise, looking to the age of the petitioner, who is 82 years old, it is not expected that she would abscond in any manner.

Writ petition is allowed.

Respondent no. 2 i.e Regional Passport Officer, Regional Passport Office Complex, Vipin Khand, Gomti Nagar, Lucknow, U.P. is directed to release passport of the petitioner in case there is no other illegal case pending against the petitioner.

(Manish Kumar, J.) (Vivek Chaudhary, J.)

Order Date :- 7.11.2023

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