

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

LPA 132/2026 in[WP(C) 1051/2026]
CM(3823/2026)

IBRA KHAN

...Petitioner(s)/Appellants.

Through: Mr. Salih Pirzada, Advocate &
Ms. Syed Ainain Qadri, Advocate

Vs.

UNION OF INDIA AND OTHERS (EXTERNAL AFFAIRS) Respondent(s)

Through: Mr. Mohsin Qadri, Sr. AAG with
Ms. Maha Majeed, Assisting Counsel
Mr. T.M. Shamsi, DSGI with
Mr. Faizan Ahmad Ganai, CGSC

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER
05-10-2026

1. The appellant is a young student pursuing her MBBS course at Tehran University of Medical Sciences, Kish Campus, Iran. The appellant received show cause notices dated 27-03-2026 and 09-04-2026, which culminated in the order dated 04-05-2026 and consequently resulted in the impounding of her passport.

2. Learned counsel appearing for the appellant has made a limited submission that the appellant is a student of MBBS and has already completed two years of the course on the strength of the passport and the admission granted to her. He further submits that the University in question is recognized by the National Medical Commission. It is, thus, submitted that, for the limited purpose of completing her education, the passport needs to be freed from impounding.

3. Upon such submissions, a report was called from the respondent-State in a sealed cover. The report has been placed before this Court which suggests certain aspersions against the appellant's father in relation to a case registered in the year 1997. The report also apprehends that the appellant may join anti-India forces, thereby jeopardizing the security and sovereignty of the country.

4. Learned counsel appearing for the respondents, however, has not been able to pinpoint the reasons for such apprehension, because the case pertains to the year 1997, whereas the appellant herself was born in the year 2005.

5. This Court has the highest respect and concern towards the security of the country and, thus, in a very limited intervention and also keeping in view the peculiar facts and circumstances of the case, particularly the fact that the appellant has completed half of her MBBS course and is required to complete the remaining half, we dispose of the present appeal by directing that the passport of the appellant shall be revived for the remaining period required for completion of her MBBS course. However, if there is any material on record except what has been placed before this Court in the source report, the respondents shall, before revival of the passport, conduct a fresh security audit of the appellant. The respondents shall also be at liberty to impose such conditions as may be considered necessary on the basis of their expert assessment, and the appellant shall undertake to comply with all such conditions before the passport is revived. The order dated 05.06.2026 passed by the learned Single Judge is modified accordingly.

6. We make it clear that the present order is being passed in the peculiar circumstances of the case, particularly having regard to the fact

that the appellant has already completed half of her MBBS course under the permission granted by the respondents. Depriving her of the opportunity to complete the remaining course would jeopardize her career to complete her MBBS course.

7. It is made clear that this order shall not be treated as a precedent in any manner.

8. The source report be returned to the respondents in a sealed cover.

(WASIM SADIQ NARGAL)
JUDGE

(DR. PUSHPENDRA SINGH BHATI)
CHIEF JUSTICE

Srinagar
05-10-2026
Aamir

