APHC010323412026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3332]
(Special Original Jurisdiction)

TUESDAY, THE 11th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 17906/2026

Between:

Nidiginti Bhagyya Lakshmi **...PETITIONER**

AND

The Union Government Of India and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. VARADAM SAI LIKHITH

Counsel for the Respondent(S):

1. GP FOR HOME
2. Y V ANIL KUMAR (Central Government Counsel)

The Court made the following order:

The present writ petition is filed questioning the action of the respondents in not considering and processing the petitioner's application bearing Application No.VJ1066699733926 for issuance of fresh passport to her.

2. Heard Sri V.Sai Likith, learned counsel for petitioner and learned Counsel for the respondents.

3. Learned counsel for the petitioner submitted that, the application made by the petitioner for issuance of fresh passport vide application No.VJ1066699733926 was not considered by the respondent authorities on the ground that Crime No.112/2023 was pending against the petitioner at Tiruchanur Police station. The learned counsel further submitted that, it is a settled principle of law that mere registration of crime is not an impediment for renewal of passport under Section 6 of the Passports Act, 1967 and that cannot be a ground to refuse the issuance/renewal of the passport. As such, prayed to pass appropriate orders in that regard.

4. Learned Counsel for respondents submitted that, a crime vide Crime.No.112/2023 is pending against the petitioner and an adverse report has been received from the police station, as such the Passport Officer has not considered the application. He further submitted that, the petitioner has not made out any case warranting the interference of the Court, as such prayed to dismiss the writ petition.

5. Perused the record and considered the submissions of both the learned counsel.

6. The facts emanating from the record and the submissions made by both the learned counsel says that the application of the petitioner for issuance of fresh passport vide Application No.VJ1066699733926 was not considered by the authorities on the ground that crime vide Crime.No.112/2023 is pending against the petitioner.

7. In ***Vagala Venkata Siva Kumar Vs State of Andhra Pradesh***[1], this Court has categorically held that, as per Section 6(2)(f) of the Passport Act, 1967, the passport authority shall refuse to issue passport or travel document for visiting any foreign country, if criminal proceedings are pending against the applicant in India.

8. A bare reading of the Passport Act, 1967 reveals that there is no absolute bar for issuance of passport. As per Section 6(2)(f) of the Passport Act, 1967 when the passport authority refuses to grant passport, the Court while exercising its discretion has to look at the facts and circumstances of the each case. Mere pendency of crime cannot be a reason to refuse to issue/renew the passport.

9. Taking the submissions of both the learned counsel into consideration, this court is inclined to dispose of the writ petition with the following direction:

The respondent authorities concerned are directed to consider the petitioner's application No.VJ1066699733926 and issue the passport to the petitioner, if she meets all the necessary requirements, other than the objection regarding pendency of crime. There shall be no order as to costs.

Accordingly, the Writ Petition is **disposed of**. No costs.

Miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

BRS

[1] Criminal Revision Case No. 478 of 2020