



CNR: KAHC010322432026

NC: 2026:KHC:48383
WP No. 14771 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 3RD DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 14771 OF 2026 (GM-PASS)

BETWEEN:

SRI T N ANANDA RAO
S/O T A NARAYANA RAO,
AGED ABOUT 85 YEARS,
R/AT NO.561 YASHASHWINI 9TH CROSS,
3RD PHASE JP NAGAR,
BANGALORE- 560078

...PETITIONER

(BY SRI. YATHISH S.,ADVOCATE)

AND:

1. THE UNION OF INDIA
REPRESENTED BY ITS SECRETARY,
MINISTRY OF EXTERNAL AFFAIRS,
NEW DELHI-110001
2. THE REGIONAL PASSPORT OFFICE,
REPRESENTED BY ITS REGIONAL OFFICER,
8TH BLOCK, 80 FEET ROAD,
KORAMANGALA,
BANGALORE-560095
3. THE STATE OF KARNATAKA
REPRESENTED BY SUB INSPECTOR OF POLICE,
CHANNAPATNA RURAL POLICE STATION,
CHANNAPATNA TOWN, RAMANAGARA DISTRICT,
KARNATAKA - 562160

...RESPONDENTS

(BY SMT. RESHMA K T., ADVOCATE FOR R1 & R2;
SRI. MOHAMMED JAFAR SHAH., AGA FOR R3)

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS QUASHING THE OBJECTION NOTICE DATED 06.11.2025 ISSUED BY THE RESPONDENT. NO. 2 AT ANNEXURE - B AND DIRECT THE RESPONDENT NO. 2 AUTHORITY TO FORTHWITH RENEW THE PETITIONERS PASSPORT AND ETC.

THIS WRIT PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this court seeking for the following reliefs:

A. Issue a Writ of Mandamus quashing the Objection Notice dated 06.11.2025 issued by the Respondent No. 2 at Annexure-B and direct the Respondent No. 2 authority to forthwith renew the Petitioner's passport.

B. Declare that the Pendency of the Objections to Final B - report does not amounts to "Criminal Proceedings" pending under section 6 (a) (f) of the passport act, 1967 and that reliance on such stage to deny the renewal is arbitrary, illegal and violative of Article 14, 19 (1)(d) and 21 of the constitution of India, as it only indicates that the matter is in the stage of pre-cognizance, in which cognizance has not been taken.

C. Pass any such other Writ, orders or direction which deems fit and necessary for this Hon'ble Court in the interest of justice and equity.



2. An application filed by the petitioner for re-issuance of passport was not processed and respondent no.2, vide letter dated 06.11.2025, brought to the notice of the petitioner about pendency of a criminal proceedings in Crime No.11/2025, where though 'B' report had been filed, had not been accepted by the Court and had called upon the petitioner to furnish proof of clearance of the case or travel permission from the concerned Court and clarify the same to the passport office.
3. The petitioner is before this Court challenging the said correspondence contending that once a 'B' report has been filed, it is as if the criminal proceedings are not in existence and therefore there would be no requirement for the petitioner to either furnish proof of clearance or travel permission for the purpose of travel. His further submission is that for the purpose of re-issuance of a passport, there would be no requirement for permission to travel as held by the Hon'ble Apex Court in the case of ***Mahesh Kumar Agarwal vs. Union of India and another***¹.
4. The facts in the present case give rise to a nuanced situation inasmuch as though investigation is

¹ SLP (Civil) No.17769/2025



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completed and final 'B' report has been filed, the said 'B' report is yet to be accepted by the court seized of the criminal proceedings. Notice having been issued to the complainant, the complainant has not appeared before the Court and the matter is being adjourned for objections to the final 'B' report, popularly known as protest memo. In the event of such objection or protest memo not being filed, the final 'B' report would be accepted by the court and the matter closed. However if a protest memo is filed, it would be required for the court to consider the same and pass necessary orders. Until final orders are passed, the criminal proceedings cannot be said to have been closed even though a 'B' final report had been filed. Until such acceptance or otherwise the Criminal proceedings would continue to be pending insofar as the petitioner is concerned.

5. The petitioner is however right in contending that the pendency of the criminal proceedings ought not to come in the way of re-issuance of passport. In that view of the matter, the respondent would have to be directed to re-issue a passport *albeit* with a short validity and the travel of the petitioner would always be subject to permission to be obtained from the



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court seized of the criminal proceeding, namely the Channapatna Rural Police Station, who is seized of Crime No.11/2025. In that view of the matter, this court passes the following:

ORDER

- i) The Writ Petition is ***allowed***,
- ii) The respondents are directed to consider the application of the petitioner for re-issue of the passport in terms of the observations made hereinabove within a period of 30 days from now and it is made clear that the travel of the petitioner would however be subject to permission for foreign travel being granted by the court seized of the criminal proceedings.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

PRS
List No.: 3 Sl No.: 9