



CNR: KAHC010342442026

NC: 2026:KHC:44812
WP No. 15602 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF AUGUST, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO.15602 OF 2026 (GM-PASS)

BETWEEN:

NABI. A
S/O AMANULLA ISMAIL,
AGED ABOUT 44 YEARS,
R/AT TF01, NO.397, 4TH CROSS,
CHAITHANYAS NEST APARTMENT,
SYNDICATE BANK LAYOUT,
HEROHALLI,
BENGALURU - 560091.
MOBILE NO: 9035992785

...PETITIONER

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA

(BY SRI. SYED AHMED, ADVOCATE)

AND:

1. UNION OF INDIA
REP. BY ITS SECRETARY
MINISTRY OF EXTERNAL AFFAIRS
JAWAHARLAL NEHRU BHAVAN
23-D JANPATH
NEW DELHI-110011.
2. THE JOINT SECRETARY
MINISTRY OF EXTERNAL AFFAIRS



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JAWAHARLAL NEHRU BHAVAN
23-D JANPATH
NEW DELHI-110011.

3. THE REGIONAL PASSPORT OFFICER
REGIONAL PASSPORT OFFICE
8TH BLOCK, 80 FEET ROAD
KORAMANGALA
BENGALURU - 560095.

...RESPONDENTS

(BY SRI. SWAMINI GANESH
MOHANAMBAL, ASG FOR R1 TO R3)

THIS W.P. IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA, PRAYING TO A. ISSUE A WRIT OF
CERTIORARI QUASHING THE ENDORSEMENT/OBJECTION
LETTER DATED 03-11-2025 BEARING REF. NO.
OBJ/1052054978/25 ISSUED BY RESPONDENT NO.3
PRODUCED AS ANNEXURE-A AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ



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ORAL ORDER

1. Sri. Swamini Ganesh Mohanambal, learned ASG has filed M.A. before issuance of notice, accepts notice for respondent Nos.1 to 3.
2. The petitioner is before this Court seeking for the following reliefs:
 - a) *Direct the Respondent No.3 not to reject or close the petitioner's passport application pending disposal of this writ petition.*
 - b) *Pending disposal of the writ petition, direct Respondent No.3 to process the petitioner's passport application without insisting upon permission/order from the Trial Court.*
3. The petitioner having made an application for renewal of his passport, an endorsement was issued on 03.11.2025 calling upon the petitioner to furnish travel permission from the jurisdictional Court. The submission of learned counsel for the petitioner is that the petitioner having challenged the criminal proceedings initiated in Crl.P.No.6818/2021, Co-ordinate Bench of this Court, vide order dated 31.03.2022 has stayed the further proceedings in that matter and it is in that background,



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the application which had been filed by the petitioner before the trial Court was rejected on the ground that there was a stay in operation and the application could not be considered. It is in that background, the learned counsel for the petitioner submits that the petitioner has no recourse in law inasmuch as the application not being considered by the trial Court, the petitioner would not be able to furnish a permission to travel which has been mandated by the respondents.

4. The consideration of an application for grant of permission to travel is not an aid or in furtherance of the trial in a criminal proceedings, what is being stayed by a Co-ordinate Bench of this Court is the further proceedings in the matter.
5. Taking into consideration the fact that the law requires the petitioner to make available a permission granted by the court seized of the criminal matter, permitting the petitioner to travel, it would but be required for the trial Court to have considered the said application. In that view of the matter, this Court directs the Chief Judicial



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Magistrate, Bengaluru Rural District, Bengaluru who is seized of CC.No.8644/2021 to consider the application filed by the petitioner for travel permission afresh dehors the stay, which has been granted in Crl.P.No.6818/2021.

6. It is made clear that the consideration by the trial Court would be only limited to the consideration of the application and not to proceed with the trial in the matter. The trial Court is directed to consider the application and pass necessary orders within 30 days from the date of receipt of a copy of this order.
7. Insofar as re-assurance of the passport is concerned, as held by the Hon'ble Apex Court in the case of **Mahesh Kumar Agarwal v. Union of India and Another** reported in **2025 SCC OnLine SC 2887**, the pendency of a criminal proceedings cannot be a ground to reject the application for passport. It is only the travel abroad which would have to be undertaken by the petitioner after due permission. In that view of the matter, since the proceedings are pending, respondents are directed to consider the application of the petitioner and issue a



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short validity passport. It is however made clear that the travel of the petitioner would be subject to the orders passed permitting the petitioner as indicated supra.

8. With the above observations, writ petition stands **disposed of.**

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

SMJ
List No.: 1 Sl No.: 1