



CNR: KAHC010532502026

NC: 2026:KHC:50172
WP No. 24308 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 24308 OF 2026 (GM-PASS)

BETWEEN:

AKASH RANKA
S/O LATE MAHAVEER RANKA,
AGED ABOUT 46 YEARS,
RESIDING AT NO.7, 30TH CROSS,
4TH BLOCK, JAYANAGAR,
BENGALURU-560011.

...PETITIONER

(BY SRI. DHIRAJ A K., ADVOCATE)

AND:

1. UNION OF INDIA,
MINISTRY OF EXTERNAL AFFAIRS,
REP. BY ITS SECRETARY,
JAWAHARLAL NEHRU BHAWAN,
JANPATH,
NEW DELHI-110011.
2. REGIONAL PASSPORT OFFICER,
REGIONAL PASSPORT OFFICE,
8TH BLOCK, 80 FEET ROAD,
KORAMANGALA,
BENGALURU-560 095.

...RESPONDENTS

(BY SRI. MAHESH ARKALGUD SRINATH.,ADVOCATE)





CNR: KAHC010532502026

NC: 2026:KHC:50172
WP No. 24308 of 2026

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ACKNOWLEDGEMENT VIDE LETTER REFERENCE NO. OBJ/1056127160/26 DATED 27.07 2026 IN FILE NO. BN1077115359626 PRODUCED AT ANNEXURE-K, SEEKING FOR PROOF OF CLEARANCE OR TRAVEL PERMISSION FROM COURT FOR REISSUE/RENEWAL OF PASSPORT BEARING NO.ZA555981 REQUESTED VIDE APPLICATION REFERENCE NO. 26-1063633991 HOLDING THE SAME TO BE ILLEGAL.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present Writ Petition is filed seeking for the following reliefs:

- a. To quash the acknowledgment vide Letter reference No:OBJ/1056127160/26 dt 27.07.2026 in file No.BN1077115359626 produced at Annexure-K, seeking for proof of clearance or travel permission from court for reissue/renewal of passport bearing No.ZA555981 requested vide application reference No.26-1063633991 holding the same to be illegal.*
- b. To direct respondent No.2 to reissue/renewal of petitioner's passport bearing No.ZA555981 applied vide application reference No.26-1063633991 with passport*

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA



CNR: KAHC010532502026

application file No.BN1077115359626 for permissible period in accordance with law vide application receipt produced at Annexure-J

- c. To issue any other suitable writ or order or direction which this Hon'ble Court deems fit in the circumstances of the case, in the interest of justice.*

2. It is the case of the petitioner that, due to the strained matrimonial relationship of the petitioner's brother (Sri Ajith Ranka), legal proceedings were initiated, including the criminal proceeding in C.C.No.6533/2017. The said criminal proceeding was challenged by the petitioner as well as his brother before this Court in Crl.P.No.4309/2025, and this Court, vide order dated 28.03.2025 (Annexure-C to the writ petition), granted an interim order of stay of all further proceedings in C.C.No.6533/2017.

3. Learned counsel for the petitioner submits that the brother of the petitioner (Sri Ajith Ranka), filed W.P.No.24119/2026 and this Court, vide order dated 13.08.2026, allowed the said writ petition by granting the



relief. The operative portion of order dated 13.08.2026 passed in W.P.No.24119/2026, reads as under:

"ORDER

- (i) The writ petition is **partly allowed**;
- (ii) The petitioner is directed to reply to a letter/objection dated 27.07.2026 at Annexure-K, undertaking that he would travel only upon receipt of an order from the Court seized in the criminal matter that he is permitted to travel abroad.
- (iii) Once such undertaking is furnished, respondent No.2 is directed to process the application of the petitioner and issue a necessary short-validity passport, taking into consideration the above observations, within a period of 15 days of such undertaking being furnished. "

4. The grievance of the petitioner is that the application of the petitioner for renewal of the passport is being considered only for a short period of time. The said aspect was considered by this Court vide its order dated 13.08.2026. Para Nos.9 to 13 of the said order reads as under:

"9. A reading of the communication dated 27.07.2026 shows that it merely calls upon the petitioner to produce proof that the criminal proceedings have concluded or to furnish permission granted by the concerned Court for travel abroad. The communication



CNR: KAHC010532502026

NC: 2026:KHC:50172
WP No. 24308 of 2026

does not indicate that the application for renewal of the passport would be considered if the petitioner were to state that the criminal proceedings are still pending but undertake not to travel abroad without obtaining the prior permission of the Court before which those proceedings are pending. In the absence of such an indication, it cannot now be contended that the petitioner ought to have understood the requirement and furnished such an undertaking. If the Passport Authority is willing to process an application on the basis of such an undertaking, the same must be clearly stated in the notice itself so that the applicant is aware of what is required and is afforded an effective opportunity to respond.

10. This case also highlights a recurring issue. This Court is repeatedly called upon to consider petitions filed by persons who have earlier been issued short validity passports pursuant to judicial orders and who are required to seek renewal after the expiry of those passports. Since short validity passports are ordinarily issued for only one year, applicants are compelled to undergo the same process repeatedly while the criminal proceedings continue, which in many cases take several years to conclude. This results in avoidable hardship to the applicants and unnecessary litigation before this Court.

11. The authorities must also take into account the practical difficulties faced by passport holders. Many foreign countries require a passport to have a minimum remaining validity of six months before granting a visa. A passport that is valid only for a short period may therefore become of limited practical use, even if it has been issued. These practical considerations deserve due attention while framing the policy governing the issuance and renewal of passports in cases where criminal proceedings are pending.

12. The Passport Authorities should therefore examine whether, in appropriate cases, a short validity passport can be issued for a longer period, subject to suitable safeguards and conditions, instead of limiting its validity to one year in every case. Such a policy



CNR: KAHC010532502026

NC: 2026:KHC:50172
WP No. 24308 of 2026

would strike a balance between the need to ensure the availability of the accused during the pendency of criminal proceedings and the constitutional right of a citizen to hold a passport and travel abroad.

13. *The need for such a balanced approach is reinforced by the decisions of the Hon'ble Supreme Court. In **Mahesh Kumar Agarwal Vs. Union of India and another reported in 2025 SCC OnLine SC 2887**, the Hon'ble Supreme Court reiterated that the right to travel abroad is an integral facet of the fundamental rights guaranteed under the Constitution. The same principle was earlier recognised in **Maneka Gandhi v. Union of India and Another, (1978) 1 SCC 248**, wherein it was held that the right to travel abroad forms part of the guarantee of personal liberty under Article 21 of the Constitution. Any restriction on that right must therefore be fair, reasonable and in accordance with law."*

5. It is clear from the aforementioned that the renewal of the passport of the petitioner as well as for the brother was being done only for a period of one year. Having regard to the fact that the petitioner, who is arrayed as accused No.3 in the criminal proceedings, would undertake travel only pursuant to the permission granted by the appropriate Court in the said criminal proceedings, this Court directed that the renewal of the passport be granted for a longer period.

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA



6. In view of the aforementioned, a similar order is to be passed in the present case as well.

7. Hence, the following:

ORDER

- i. The Writ Petition is ***partly allowed***.
- ii. The petitioner is permitted to reply to the communication dated 27.07.2026 (Annexure-K to the writ petition) undertaking that he would travel only upon receipt of an order from the jurisdictional Court where the criminal proceedings are pending matter permitting him to travel abroad. In the event that the petitioner has already responded to the said communication dated 27.07.2026, he is permitted to address a further communication within two weeks from the date of the receipt of a copy of this order.
- iii. Once such an undertaking is furnished, the respondent No.2 shall process the application of the petitioner and issue a passport taking into consideration the observations made in this order, as well as having regard to the



CNR: KAHC010532502026

NC: 2026:KHC:50172
WP No. 24308 of 2026

observations made in the order dated
13.08.2026 passed in W.P.No.24119/2026.

- iv. In view of the disposal of the petition, pending
interlocutory applications, if any, stand
disposed of.

Digitally Signed by CHEPPUDIRA
MONNAPPA POONACHA

(C.M. POONACHA)
JUDGE

SSB
List No.: 1 Sl No.: 2