



CNR: KAHC010558622026

NC: 2026:KHC:53670
WP No. 25316 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF SEPTEMBER, 2026

BEFORE

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

WRIT PETITION NO. 25316 OF 2026 (GM-PASS)

BETWEEN:

1. SMT.POOJA VENKATESH
D/O LATE. VENKATESH,
AGE 28 YEARS, NO.244,
3RD MAIN, 2ND CROSS,
BHOVI COLONEY, RAMAMURTHY NAGAR,
BANGALORE-560016.

...PETITIONER

(BY SRI. SUDHINDRA S A.,ADVOCATE)

AND:

1. THE REGIONAL PASSPORT OFFICER
REGIONAL PASSPORT OFFICE,
BENGALURU, MINISTRY OF EXTERNAL AFFAIRS,
GOVERNMENT OF INDIA,
8TH BLOCK, 80 FEET ROAD,
KORAMANGALA, BENGALURU,
KARNATAKA - 560095.

...RESPONDENT

(BY SMT. SINCHANA MR.,ADVOCATE)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASH THE
ENDORSEMENT /OBJECTION DATED 25.06.2025 ISSUED BY
THE RESPONDENT ON PETITIONERS PASSPORT APPLICATION
VIDE ANNEX-A.





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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) Issue a writ of Certiorari quash the endorsement / Objection dated 25/06/2025 issued by the Respondent on Petitioner's passport application vide ANNEXURE- A;

(B) Issue a writ of Mandamus directing the Respondent to process and issue an Indian Passport to the Petitioner during pendency of Crime No 590/2024 in C.C. No.56268/2025 filed by the Ramamurthy Nagara Police in accordance with the provisions of the Passport Act, 1967 and the notifications issued thereunder;

(C) Direct the Respondents to complete the passport issuance process within a time frame fixed by this Hon'ble Court;

(D) GRANT such other relief or reliefs as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice and equity."

2. It is the case of the petitioner that an application for renewal of the passport has been made. However, due to the pendency of criminal proceedings in CC No.56268/2025, the said application has not been considered and a

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MONNAPPA POONACHA



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communication dated 25.06.2025 (Annexure-A to the writ petition) has been issued by the passport authorities. The said communication is impugned in the present writ petition.

3. Learned counsel for the respondent submits that petitioner is required to approach the same Court where the criminal proceedings are pending. However, the learned counsel for the petitioner submits that since the criminal proceedings are stayed by this Court in CrI.P.No.7883/2026, vide interim Order dated 13.07.2026, the concerned Court, i.e. the XI Additional Chief Judicial Magistrate, Mayo Hall, Bangalore, has not entertained the application made by the petitioner. It is pertinent to note here that criminal proceedings in CC No.56268/2025 have been stayed insofar as the petitioners are concerned.

4. Further, learned counsel for the respondent places reliance on the judgment of a Co-ordinate Bench of this Court in the case of **Chandrasekaran Rajendra Vs. Union of India and Another¹**, whereunder this Court considering a similar

¹ WP No.19961/2025 dated 09.07.2025; NC:2025:KHC:25056



fact situation, noticed the Office Memorandum dated 10.10.2019, issued by the Government of India, Ministry of External Affairs, PSP Division as well as the GSR No.570(E) dated 25.08.1993 and directed the writ petitioner therein, approach the Court in which proceedings are pending and obtain suitable orders as contemplated under GSR No.570(E). It was further clarified that the stay of proceedings in the criminal petition will not come in the way of the Trial Court from considering the application of the petitioner in terms of GSR No.570 (E). The relevant portion of the order passed in the case of **Chandrasekhar Rajendra¹** , reads as under:-

"5. Perused the Office Memorandum dated 10.10.2019 issued by the Government of India, Ministry of External Affairs, PSP Division. Para 5(i) and (ii) of the Office Memorandum dated 10.10.2019 reads as follows:

"(i) The provisions of GSR 570(E) may be strictly applied in all cases. GSR 570(E) is a statutory notification and hence forms part of the Rules. It is to be noted that as per Section 5(2) of the Passports Act, 1967, the passport authority shall by order in writing take a decision whether to issue or refuse a passport, after making such inquiry, if any, as it may consider necessary. Moreover, Section 7 of the Passports Act, provides that a passport or travel document may be issued for a shorter period than the prescribed period if the passport authority, for reasons to be communicated in writing to the applicant, considers in any case that the passport or travel document should be issued for a shorter period. Rule 12 of the Passport Rules, 1980 only states that an ordinary passport shall



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be in force for a period of 10 years which implies that an ordinary passport cannot be issued beyond a period of 10 years.

(ii) Whenever an applicant is submitting a 'No Objection Certificate' (NOC) from a Court of law in India, the applicant should be advised that undertaking as per GSR 570(E) should be complete in all respects and should mention all the pending criminal cases against the applicant. The undertaking will have a note clearly stating that if any false or incomplete information is submitted by an applicant, then his passport application is liable to be rejected."

6. *The relevant extract of GSR 570(E) dated 25.08.1993 of AID Memo is reproduced as below:*

"G.S.R. 570(E). In exercise of the powers conferred by clause (a) of section 22 of the Passports Act, 1967 (15 of 1967) and in supersession of the notification of the Government of India in the Ministry of External Affairs no. G.S.R.298(E), dated the 14th April, 1976, the Central Government, being of the opinion that it is necessary in public interest to do so, hereby exempts citizens of India against whom proceedings in respect of an offence alleged to have been committed by them are pending before a criminal court in India and who produce orders from the court concerned permitting them to depart from India, from the operation of the provisions of Clause (f) of sub-section (2) of Section 6 of the said Act, subject to the following conditions, namely:-

(a) the passport to the issued to every such citizen shall be issued-

(i) for the period specified in order of the court referred to above, if the court specifies a period for which the passport has to be issued; or

(ii) if no period either for the issue of the passport or for the travel abroad is specified in such order, the passport shall be issued for a period one year,



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(iii) if such order gives permission to travel abroad for a period less than one year, but does not specify the period validity of the passport, the passport shall be issued for one year; or

(iv) if such order gives permission to travel abroad for a period exceeding one year, and does not specify the validity of the passport, then the passport shall be issued for the period of travel abroad specified in the order.

(b) any passport issued in terms of a(ii) and a(iii) above can be further renewed for one year at a time, provided the applicant has not travelled abroad for the period sanctioned by the court; and provided further that, in the meantime, the order of the court is not cancelled or modified;

(c) any passport issued in terms of a(i) above can be further renewed only on the basis of a fresh court order specifying a further period of validity of the passport or specifying a period for travel abroad;

(d) the said citizen shall give an undertaking in writing to the passport issuing authority that he shall, if required by the court concerned, appear before it at any time during the continuance in force of the passport so issued.

6. *In light of the above, the petition itself could be disposed off directing the petitioner to approach the Court in which proceedings are pending and obtain suitable orders as contemplated under GSR No.570(E) as extracted above."*

7. In view of the aforementioned, the similar orders are to be passed in the present writ petition as well.

8. Accordingly, the writ petition is disposed of directing the petitioner to approach the Court in which proceedings are



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pending and obtain suitable orders as contemplated under GSR No.570(E).

9. Needless to state that the proceedings in Crl.P.No.7883/2026 will not come in the way of the trial Court from considering the application of the petitioner in terms of GSR No.570(E).

10. Pending IAs., if any, also stand disposed of.

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(C.M. POONACHA)
JUDGE

Vmb List No.: 1 SI No.: 68