

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.25796 of 2019

ORDER:

The present writ petition is filed to declare the action of the second respondent in not issuing orders allowing the petitioner to travel to United States of America (USA) for the purpose of renewal of her Permanent Resident Card, which is going to expire by 15.01.2020, on the ground that there is a Look-Out-Circular (LOC), as illegal and arbitrary.

2. It is the case of the petitioner that based on a false complaint made against her by one U.Anuradha, a case in Crime No.355 of 2019 was registered for the offences under Sections 420 and 406 IPC, on 30.04.2019, on the file of Banjara Hills Police Station. To quash the proceedings in Crime No.355 of 2019, the petitioner approached this Court earlier by way of CrI.P.No.5570 of 2019, wherein this Court directed the police not to take any coercive steps for a limited period and that order was extended from time to time. In connection therewith, the police issued a notice under Section 41-A Cr.P.C., for which the petitioner submitted her detailed explanation and the said case is pending at crime stage. It is further stated that when the petitioner intended to travel to USA for renewal of the Permanent Resident Card, the RGI Airport officials have stopped the petitioner and cancelled her immigration on the ground that there is a LOC issued by the second respondent. Soon thereafter, the petitioner approached respondents 2 and 3 expressing her readiness to furnish sufficient sureties and undertake to return back soon after the completion of the renewal process of Permanent Resident Card, but in vain. Hence, the petitioner prays for a direction in this regard.

3. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home.

4. Inasmuch as the second respondent issued the LOC pursuant to the registration of Crime No.355 of 2019 on the file of the third respondent police station on 30.04.2019, this Court is of the view that the petitioner would be required to approach the authority at whose behest the said LOC has been issued and this Court cannot interfere in such matters.

5. Granting liberty to the petitioner to approach the authority concerned seeking revocation of the LOC by giving the sufficient reasons, the writ petition is closed. Pending miscellaneous petitions, if any, shall also stand closed. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:22.11.2019

GJ