

HONOURABLE JUSTICE G. SRI DEVI

WRIT PETITION No. 32796 of 2018

ORDER:

This Writ Petition is filed by the petitioners under Article 226 of the Constitution of India, seeking issuance of writ of mandamus declaring the action of the 2nd respondent vide impugned orders No.HY1061031228118, dated 09.04.2018 and HY1061031146718, dated 09.04.2018, refusing to issue passports to the petitioners under the guise that they are involved in a criminal case vide Crime No.175 of 2015 for the offences punishable under Section 498-A of I.P.C., and Sections 3 and 4 of the Dowry Prohibition Act and the case is pending vide C.C.No.424 of 2015 before the Principal Judicial Magistrate of First Class Court, Jangaon, as illegal, arbitrary and against the principles of natural justice; and consequently direct the 2nd respondent-Regional Passport Officer, to issue passports to the petitioners.

A perusal of the material on record would show that the petitioners were arrayed as A-2 and A-3 in C.C.No.424 of 2015. The petitioners along with A-1 and A-4 filed Criminal Petition No.6595 of 2017 to quash the proceedings in the above C.C. and today this Court allowed the said Criminal Petition and quashed the proceedings against the petitioners in the above C.C.

In view of the orders passed by this Court in Criminal Petition No.6595 of 2017, the petitioners are directed to make fresh application before the 2nd respondent-Regional Passport Officer, in which event, the 2nd respondent shall consider the same in accordance with law.

With the above direction, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE G.SRI DEVI

02.03.2020
gkv/Gsn

