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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11293/2019

KRISHAN KUMAR BANSAL

..... Petitioner

Through: Dr.N.Pradeep Sharma, Mr.Chirag
Sharma and Ms.Ruman Puri, Advs.

versus

REGIONAL PASSPORT OFFICER

..... Respondent

Through: Ms.Arati Bansala, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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06.01.2020

1. This petition has been filed by the petitioner seeking a direction to the respondent to renew the passport of the petitioner.
2. The respondent, in its counter affidavit has stated that the passport of the petitioner was not renewed as the petitioner was facing criminal proceeding vide FIR No.491/2015, under Section 468/471 of the Indian Penal Code, 1860 registered at Police Station, Punjabi Bagh and “ the matter is pending under trial before Tis Hazari Courts”.
3. The learned counsel for the petitioner submits that though the FIR mentioned by the respondent has been registered against the petitioner on 02.05.2015, Charge Sheet is yet to be filed in the same and therefore, the submission of the respondent that a criminal trial is pending against the petitioner is incorrect. He submits that in terms of the Notification, being GSR 570 (E) dated 25.08.1993, the renewal of the passport can be refused only where the proceedings are pending before a Criminal Court.

4. In view of the submissions made by the learned counsel for the petitioner, the respondent is directed to consider the request of the petitioner afresh. It is directed that in case the trial against the petitioner is not pending before any Criminal Court and the petitioner is otherwise entitled to seek renewal of his passport, the passport of the petitioner shall be renewed within a period of four weeks from the date of communication of this order.

5. The petition is disposed of in the above terms, with no order as to costs.

Dasti.

NAVIN CHAWLA, J

JANUARY 06, 2020/Arya