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

+ CRL.M.C. 5442/2022

ATIN KHANNA

.....Petitioner

Through: Mr. Vishal Raj Sehijpal, Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Tarang Srivastava, APP for the State.

Mr. Anurag Ahluwalia, CGSC with
Mr. Abhay Singh, Advocate for UoI.
SI Rahul Yadav (D-1146), PS Kirti
Nagar.

+ CRL.M.C. 5566/2022

TARANG KHANNA

.....Petitioner

Through: Mr. Vishal Raj Sehijpal, Advocate.

versus

STATE OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Tarang Srivastava, APP for the State.

Mr. Pradeep Kumar Jha, Sr. Panel
Counsel for R-2.
SI Rahul Yadav (D-1146), PS Kirti
Nagar.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

01.08.2024

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1. The Petitioners have approached this Court challenging an Order dated 21.09.2022 whereby the Trial Court has disposed of the applications



filed by the Petitioners for renewal of Passport for 10 years stating that the Passport cannot be renewed for 10 years.

2. Learned Counsel for the Petitioner places reliance on GSR dated 25.08.1993. The relevant portion of the GSR reads as under:-

“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 be 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,

(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 ”

(emphasis supplied)



3. Looking at the nature of offences, this Court is not inclined to interfere with the order passed by the learned Trial Court. The Passport can be renewed only for a period of one year. However, keeping in mind the fact that the FIR in question is of the year 2012 and the trial is going on for the last 12 years, the Trial Court is requested to complete the trial positively within a period of one year from today.

4. With these observations, the petitions are disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 1, 2024

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