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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 10612/2024**

SHAKTI MEHTA

.....Petitioner

Through: Dr. Ashutosh, Ms. Swati Gupta, Mr.
Dalip, Ms. Monal, Ms. Fatima and
Ms. Monal, Advocates.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Ashish K. Dixit, CGSC with Mr.
Mr. Shriram Tiwary, G.P.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

01.08.2024

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1. The Petitioner has filed the present writ petition seeking appropriate directions to be issued to the Respondent to renew the Petitioner's passport for a period of 10 years. The Petitioner is currently facing prosecution for offences under Section 132 and 135 of the Customs Act, 1962, in terms of a complaint filed by the Department of Revenue Intelligence¹. The said proceedings are ongoing before the Additional Chief Metropolitan Magistrate-02 (Special Court), Patiala House Court. It is noted that the Petitioner has previously been granted permissions to travel abroad by the said Special Court, as is seen from the order enclosed with the present writ petition.

2. The limited grievance of the Petitioner is that his passport is being renewed only on yearly basis on account of the ongoing prosecution against him and this is causing him inconvenience, since the Petitioner has to



regularly travel abroad for business reasons. In this regard, the Passport Office has informed the Petitioner's request for grant of a passport with validity of a long duration, can only be issued in terms of notification G.S.R. No. 570 (E) dated 25th August, 1993².

3. The above notification stipulates that passport for a long duration can only be issued if permission to this effect is granted by the concerned criminal court where the proceedings in relation to alleged offence(s) are pending consideration.

4. In view of the above, in the opinion of the Court, the Petitioner can make a request for grant of no-objection certificate/appropriate permission, to the concerned Additional Chief Metropolitan Magistrate-02 (Special Court) before whom the proceedings with respect to the complaint of the Customs Department are currently pending.

5. Accordingly, the present writ petition is disposed of with a direction that if the Petitioner was to apply for a no-objection certificate/appropriate permission to extend validity of his passport under the G.S.R. No. 570(E) dated 25th August, 1993, the same shall be considered by the concerned court of Additional Chief Metropolitan Magistrate-02 (Special Court) in accordance with law.

SANJEEV NARULA, J

AUGUST 1, 2024/as

¹ "DRI"

² Passed in supersession of Ministry of External Affairs notification no. G.S.R. 298(E), dated 14th April, 1976.