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

+ **W.P.(C) 11507/2024 & CM APPL. 47782/2024**

PANKAJ KUMAR

.....Petitioner

Through: Mr. Siddharth Pandit and Mr. Vipin
Kumar, Advocates.

versus

UNION OF INDIA AND ORS

.....Respondents

Through: Mr Syed Adil Hussain, Advocate.
Ms. Nidhi Raman, CGSC with Mr.
Zubin Singh and Ms. Rashi Kapoor,
Advocates for R-1 to 3.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

21.08.2024

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1. Through the present petition, the Petitioner seeks to renew his passport for a period of 10 years instead of 1 year.
2. Petitioner is holding an Indian passport bearing no. L4636890, which was issued on 25th September, 2013, with a validity of ten years and was due to expire on 24th September, 2023. In this period, two FIRs were registered against Petitioner, one being FIR No. 90/2020 under Sections 25 and 27 of the Arms Act, 1959 at Police Station Sector 23, Dwarka, New Delhi and the other one being FIR No. 300/2022 under Section 448 of the Indian Penal Code, 1860 under Sector 23, Dwarka, New Delhi.
3. Upon expiry of his passport, Petitioner applied for renewal of his



passport and he was directed to seek a No Objection Certificate¹ for reissuance of passport. On 06th August, 2024, the Additional Chief Metropolitan Magistrate, South West, Dwarka Court, issued the NOCs in respect of both FIRs and allowed for renewal of the passport, however, since no time period was specified in the order, Petitioner's passport was renewed only for a period of one year which is due to expire on 08th February, 2024. In this background, counsel for Petitioner contends that his passport should be renewed for a period of ten or twenty years as per the Passport Rules, 1988.

4. On a query of the Court, counsel for Petitioner points out that the matter in respect of FIR No. 90/2020 is currently under investigation and as regards, FIR No. 300/2022, investigation is completed and the cancellation report has been submitted by investigation agency before the concerned Court.

5. Ms. Nidhi Raman, CGSC for Respondents No. 1 to 3, states that the facts in relation to the afore-noted FIRs have been disclosed for the first time in the present petition and if Petitioner were to re-apply, his request shall be considered in view of the said FIRs. Counsel for Petitioner is agreeable to the said suggestion.

6. Accordingly, the present petition is disposed of with following directions:

(a) Petitioner shall submit a request for renewal of his passport within one week from today.

(b) Respondents shall take note that FIR No. 90/2020 is under investigation and in FIR No. 300/2022, no cognizance has been taken and

¹ "NOC"



the investigation agency has filed the cancellation report along with the NOCs issued by the Court. The Respondents shall process Petitioner's application, in accordance with law.

7. It is understood that in case the facts narrated by Petitioner are found to be true and correct, then the Notification bearing No. GSR 570(E) dated 25th August, 1993 will not apply. However, upon verification, if Respondents were to find that the facts disclosed are incorrect, then the decision on Petitioner's renewal request shall be taken, in accordance with law.

8. With the above directions, the present petition is disposed of, along with pending application(s), if any.

SANJEEV NARULA, J

AUGUST 21, 2024
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