

06-08-2025
Item No.195 ML
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.13389 of 2025

Sumit Saha

-vs-

Union of India & Ors.

Mr. Satadru Lahiri
Mr. Sourav Paul
Mr. Biswajit Baidya ...for the petitioner

Mr. Arijit Majumder ...for Union of India

Mr. Kaushik Dey
Mr. Tapan Bhanja ...for respondent no.4

1. The petitioner's prayer for renewal of passport has allegedly not been proceeded with by the concerned authority on the grounds of pendency of a criminal proceeding against him.
2. The petitioner submits that he has already applied before the Court where the criminal proceeding is pending and has obtained order wherein the learned Magistrate has recorded that the public prosecutor does not have any objection, accordingly, the permission is accorded to renew the passport for the normal period of time and the Court has no objection towards that.
3. According to the notification being Notification No.GSR 570E dated 25th August, 1993 issued by the Ministry of External Affairs, Government of India, an applicant is required to apply before the learned criminal court where the criminal proceeding is pending for order permitting the applicant to depart from India subject to certain

conditions mentioned therein.

4. In the instant case, learned trial court has not passed any order permitting the petitioner to depart India.
5. In view thereof, it will be open for the petitioner to take necessary steps in terms of the aforesaid notification.
6. The writ petition stands thus disposed of.
7. All parties are to act on the server copy of this order duly downloaded from the official website of this court.
8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]