

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 344 OF 2025

Meena Shekhar Shah

...Petitioner

Versus

The Union of India & Ors.

...Respondents

Mr. Vaibhav Sugdare a/w Mr. Shaikh Yusuf Ali for the Petitioner.

Mr. Vinit Jain a/w Mr. Ashutosh Mishra for the Respondent No. 1-
UoI.

Mr. Prashant Kamble, AGP for the Respondent No. 3 – State.

CORAM : R.I. CHAGLA J
FARHAN P. DUBASH, J

DATE : 8 September 2025

ORDER :

1. By this Writ Petition, the Petitioner is seeking a direction to the Respondent No. 2 to reopen the Passport Application No. BO3075545653621 of the Petitioner for renewal and issuance of Passport for a full period of 10 years.

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2. The learned Counsel for the Petitioner has referred to an

order dated 14th January 2025 passed by this Court in Civil Writ Petition No. 14116 of 2024, wherein similar prayer of direction to the Respondent for re-issuance of Passport was sought. This Court had upon considering the provisions of Section 6(f) of the Passport Act read with Notification dated 25th August 1993, which provides that a citizen of India against whom the criminal proceedings is pending in respect of an offence alleged to have been committed by him, ought to furnish order from the concerned Court permitting him to depart from India. This Court had accordingly, directed the Petitioner therein to make application to the Criminal Court seeking order that the Petitioner be granted reissuance of his Passport. It was further directed that if such an application is made, the Criminal Court will decide the same within 10 days from its filing.

3. The learned Counsel for the Petitioner has accordingly, submitted that the present case also falls within the provisions of Section 6(2)(f) of the Passport Act read with Notification dated 25th August 1993, as the Petitioner is being prosecuted in respect of the offences alleged to have been committed by her, and which proceedings are pending before the Criminal Court.

4. The learned Counsel for the Petitioner has accordingly, sought for similar order as had been passed by this Court in Civil Writ Petition No. 14116 of 2024 vide order dated 14th January 2025 (supra).

5. We have considered these submissions, as well as noted the prayer sought for in the present Writ Petition as well as the recent decision of this Court in Civil Writ Petition No. 14116 of 2024 - order dated 14th January 2025 (supra). We are of the view that the Petitioner is covered by the provisions of Section 6(2)(f) of the Passport Act read with Notification dated 25th August 1993. This is in view of the Petitioner having been proceeded against before the Criminal Court in respect of the offences alleged to have been committed by him. Accordingly, the Petitioner is permitted to make an Application before the appropriate Criminal Court to obtain orders for reissuance / renewal of his Passport.

6. The Petitioner is permitted to make an Application before the Criminal Court in which the proceedings are pending and upon making such Application, the Criminal Court shall within the 10 days from filing of the Application, decide the same.

7. All contentions of the parties are expressly kept open.
8. The Writ Petition is accordingly, disposed of. There shall be no order as to costs.

[FARHAN P. DUBASH, J.]

[R.I. CHAGLA J.]