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

+ W.P.(C) 9073/2025 and CM APPL.38605/2025

SAANVI MALU

.....Petitioner

Through: Mr. Surjendu Sankar Das, Mr.
Vishwajeet Singh Shekhawat, Advs.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Ms. Pratima N. Lakra (CGSC) along
with Mr. Chandan Prajapati, Adv.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

29.07.2025

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1. The present petition has been filed by the petitioner seeking direction to the respondents to act upon her Visa Application No. 090525B72R1O dated 09.05.2025 for extension of her visa along with her registration with the Foreigners Regional Registration Office (FRRO), New Delhi.
2. It is submitted that the petitioner's visa is set to expire on 17.08.2025, and the respondent no.2 / Foreigners Regional Registration Office (FRRO) has failed to take any action on the said application despite lapse of a considerable period of time. As such, it is emphasised that the same has jeopardised the petitioner's prospects of continuing to reside in India.
3. In the counter-affidavit filed on behalf of the respondent no(s). 1 and 2, it has been stated that the petitioner has not complied with the applicable guidelines under Rule 7 of the Registration of Foreigners Rules, 1992, in terms of which the petitioner was under legal obligation to register herself with the appropriate / jurisdictional FRRO in the event of her continuous stay in India exceeding a period of 180 days.



4. Importantly, however, the counter-affidavit avers as under:

“41. That it is further stated that the issue as to whether under-trial foreign nationals are to be kept in restriction centre or to be given appropriate visa services till the pendency of their trial, is under active consideration of the Ministry of Home Affairs. A policy is being framed upon the same by the competent authority and has reached at an advanced stage. However, the issues involving foreign nationals especially when such foreign nationals are in violation of Indian laws and facing prosecution for the same are sensitive and need to be dealt with utmost caution as it directly affects the national security of the country and has international ramifications as well. Therefore, policy decisions on such matters are taken only after active participation and inputs of all the stakeholders. Such matters are complex and policy decisions upon the same take some time. Meanwhile such visa service applications of undertrial foreign nationals are put on hold by the department as per extant guidelines of Bureau of Immigration Office Memorandum dated 02.03.2023.

42. In view of the above, the applicant’s application is kept on hold as per extant guidelines of Bureau of Immigration till the Ministry of Home Affairs is currently finalizing a comprehensive policy in this regard. It is also assured that the department shall not take any coercive action against the foreign national till her application is on hold with the department.”

5. In view of the aforesaid averments, there is no imminent prospect of any coercive action being taken against the petitioner till her application for extension of visa is duly processed in terms of the policy being currently finalised.

6. The above redresses the grievance of the petitioner for the time being. In the aforesaid circumstances, no further orders are required to be passed in the present petition at this stage, except to direct the concerned respondent/s to take appropriate decision on the petitioner’s application for extension of visa, and grant of citizenship, in terms of the policy being framed in this regard.

7. The present petition stands disposed of with the aforesaid directions.



Pending application also stands disposed of.

8. Needless to say, in case the petitioner is aggrieved by the outcome of the aforesaid exercise, she shall be at liberty to avail appropriate remedies under law.

SACHIN DATTA, J

JULY 29, 2025/at