

05.01.2026
Sl. no. 33
Ct. No. 29
P.M.

CRR 4846 OF 2025
Tariq Ahmed
- Vs -
The State of West Bengal.

Mr. Ayan Bhattacharjee, Sr. Adv,
Ms. Ritu Das
... for the petitioner.
Mr. Suman De,
Ms. Trisha Rakshit
... for the State

Report submitted by investigating agency dated 02.01.2026 is taken on record.

Upon hearing learned counsel for the petitioner and the learned counsel appeared on behalf of the State it appears that by the impugned order learned court below had rejected the petitioner's prayer to issue 'No Objection' for enabling him to apply for fresh Indian passport for ten years as prayed by him.

Learned counsel appearing on behalf of the petitioner submits that this High Court while disposing CRM (DB) 2770 of 2025 had relaxed the condition imposed in the bail order to the extent that the petitioner may pursue studies in France for academic year 2025-2026 subject to the furnishing bond of Rs. One lakh by his father Mr. Ekhlaque Ahmed before the learned trial court securing the attendance of the petitioner as and when required by the learned trial court.

Accordingly, the petitioner made prayer before the court below for issuing 'no objection' certificate for enabling him to apply for issuance of fresh passport but the Trial Court by the impugned order dated 15.09.2025 rejected such prayer observing that there is no provision to issue 'no objection' by the court in favour of the accused enabling him to apply for fresh Indian Passport as prayed for and thereby he has given a liberty to avail benefit granted by this High Court.

It appears that the aforesaid observation in the said order to the extent there is no provision to issue 'no objection' by the trial Court in favour of the accused enabling him to apply for fresh Indian Passport, appears to be perverse in view of the notification made by Ministry of External Affairs dated 25th August 1993.

In such view of the matter the instant application being CRR 4846 of 2025 is hereby disposed of with a direction upon the court below or in-charge of the court below to rehear the petitioner's prayer for enabling him to apply for fresh Indian Passport within a period of three weeks from the date of communication of this order in the light of the aforesaid notification and to pass a fresh order without being influenced by any observation made herein.

The impugned order dated 15.02.2025 thus stands quashed.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Dr. Ajoy Kumar Mukherjee, J.)