

**In the High Court of Punjab and Haryana at Chandigarh****122****CRM-M-12767-2026****Date of Decision: 19.05.2026****ASHOK KUMAR****.....PETITIONER****VERSUS****UNION OF INDIA AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE H.S.GREWAL**

Present: Mr. Rajinder Goel, Advocate and
Mr. Navjyot Singh, Advocate for the petitioner.

None for the respondents No.1 and 2.

Mr. Rakesh Kumar Jangra, AAG, Haryana

H.S. GREWAL, J. (ORAL)

1. This petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 Cr.P.C.) has been filed seeking quashing of order dated 24.12.2025 (Annexure P-1) passed by the learned Judicial Magistrate 1st Class, Guhla, District Kaithal, in FIR No.110 dated 08.05.2018 registered under Sections 332, 353, 506 and 120-B IPC [corresponding provisions under the Bharatiya Nyaya Sanhita, 2023], at Police Station Cheeka, District Kaithal, whereby application dated 24.12.2025 (Annexure P-2) filed by the petitioner for grant of permission/NOC for reissue/renewal of Passport No. M6676098 (Annexure P-3), which expired on 02.03.2025, was rejected. The petitioner further seeks a direction to the learned trial Court to reconsider the said application afresh on merits and to permit respondents No.1 and 2 to reissue/renew the passport with full validity by ignoring letter dated 30.01.2026 (Annexure P-4), whereby the passport renewal



application was rejected under the Passports Act, 1967 and the Passport Rules, 1980.

2. Brief facts of the case are that FIR was registered against the petitioner and other three other co-accused at the instance of complainant. After the presentation of final report under Section 173 Cr.P.C charges were heard and learned trial Court framed charges against the petitioner for the commission of offence punishable under Section 506 IPC, whereas the co-accused were charge-sheeted for the commission of offences punishable under Sections 332 and 353 read with Section 120-B IPC, vide order dated 29.10.2019. Thereafter, all the accused challenged the aforesaid order dated 29.10.2019, and the complainant also challenged the same by filing a separate criminal revision petition. Both the revision petitions were decided by the learned Additional Sessions Judge, Kaithal, vide common judgment dated 10.11.2021, whereby the revision petition filed by the accused was dismissed, whereas the revision petition filed by the complainant was allowed with a direction that all the accused be charge-sheeted for the commission of offences under Sections 332, 353, 452 and 506 read with Section 120-B IPC.

3. The co-accused as well as the petitioner challenged the order dated 10.11.2021 by filing CRM-M-48693-2021 and CRM-M-54149-2021 wherein this Court, vide order dated 22.11.2021, directed the learned trial Court to adjourn the case beyond the date fixed before this Court. Vide order dated 15.02.2023, this Court vacated the interim order that had been granted in favour of the petitioner.

4. Learned counsel for the petitioner submits that he had moved an application for renewal of his passport, however, the same was dismissed by



the learned trial Court by observing that the stay granted by the Hon'ble High Court was operating in the matter and, therefore, the application could not be entertained, without taking into consideration the order dated 15.02.2023 whereby the stay granted in favour of the petitioner had specifically been vacated. He further submits that the learned trial Court has not made any observations on merits while deciding the application.

5. None has put in appearance on behalf of the respondents No. 1 and 2. Learned State counsel appearing on behalf of respondent No. 3 submits has vehemently opposed the prayer made by ld. counsel for the petitioner on the ground that petitioner is indulged in criminal activities and he will fly forever out of county.

6. I have heard the submissions made by ld. counsel for the petitioner as well as ld. State counsel and perused the record.

7. Keeping in view the facts and circumstances of the case and the fact that a passport is a civil document that enables its holder to seek a visa and, subject to other laws and orders, to cross international borders. Whether a person who is on bail or facing trial may actually leave the country is a matter for the criminal court, which can grant or withhold permission, impose conditions, insist on undertakings, or refuse leave altogether. To refuse renewal on the speculative apprehension that the petitioner might misuse the passport is, in effect, to second-guess the criminal courts' assessment of risk and to assume for the passport authority a supervisory role which the statute does not envisage. Accordingly, the order dated 24.12.2025 is hereby set aside and the petition is allowed and respondents are directed to re-issue an ordinary passport to the petitioner for the normal period of ten years from the date of issue,



subject to compliance with the usual procedural requirements, within a period of four weeks from the date of production of a copy of judgment. However, the petitioner shall abide by the conditions imposed by the Court and shall not leave the country without prior permission of the Court/competent authority.

19.05.2026
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(H.S.GREWAL)
JUDGE

Whether speaking/ reasoned :	Yes/No
Whether Reportable :	Yes/No