

**PCR No.7-2025
Cr No. 33 of 2025**

ORDER ON APPLICATION SEEKING NO OBJECTION FOR PASSPORT

The applicant/accused has filed the present application seeking permission/no objection for obtaining/renewal of passport.

Learned counsel for the applicant/accused has filed memo along with copy of the judgment of the Hon'ble Supreme Court in Mahesh Kumar Agarwal v. Union of India and another, 2025 INSC 1476. Memo is taken on record.

Heard the learned counsel for the applicant/accused and the learned APP. Perused the application, memo and materials on record.

It is submitted that the applicant is arrayed as accused in Crime No.33/2025 of Humnabad Police Station. It is further submitted that after investigation the Investigating Officer has filed B report and the same is pending consideration before this Court.

The learned APP has objected to the application on the ground that the complainant may file protest petition/objection to the B report.

The said objection is considered. The filing of B report does not by itself amount to closure of the proceedings unless the same is accepted by the Court in accordance with law. The right of the complainant/informant, if any, to file protest petition/objection to the B report and the power of this Court to consider the B report in accordance with law are kept open. This order shall not amount to acceptance of the B report and shall not influence consideration of the B report/protest petition on merits.

However, the mere possibility of the complainant filing protest petition cannot be treated as an absolute bar to consider the present application seeking limited no objection for obtaining/renewal of passport.

In Mahesh Kumar Agarwal v. Union of India and another, the Hon'ble Supreme Court has held that Section 6(2)(f) of the Passports Act is not an absolute bar and that GSR 570(E) permits consideration of issuance/re-issuance/renewal of passport where the concerned criminal Court grants permission/no objection subject to conditions. It is also clear that issuance/renewal of passport and permission to travel abroad are distinct matters.

In the present case, the applicant has sought only no objection for obtaining/renewal of passport. He has not sought permission to travel abroad. No material is placed to show that any warrant is pending against the applicant or that he has misused liberty.

Therefore, limited no objection can be granted, subject to conditions. Issuance, renewal, validity period and other statutory requirements are matters to be considered by the competent Passport Authority in accordance with law.

Hence, the application is allowed in part.

This Court has no objection for the applicant/accused to apply for obtaining/renewal of passport before the competent Passport Authority.

This order shall not be treated as a direction to the Passport Authority to issue/renew passport. The Passport Authority shall consider the application independently in accordance with law.

This order shall not be treated as permission to travel abroad.

The applicant/accused shall not leave India without prior permission of this Court.

The applicant/accused shall appear before this Court as and when directed.

The applicant/accused shall not misuse the liberty granted by this order.

For consideration of B report/steps.

Call on 20.07.2026