

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR**

**WP(C) 2345/2025
CM(6205/2025)**

Abdul Gani Parray.

...Petitioner(s)

Through: Mr. Owais Shafi, Advocate.

Vs.

Union of India & Ors.

...Respondent(s)

Through: Ms. Bisma Ali, Advocate vice
Mr. T. M. Shamsi, DSGI.
Mr. Furqab Yaqub Sofi, GA.

CORAM:

HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE.

ORDER

24.09.2025

01. This petition calls for disposal of at its inception stage keeping in view the fact that the respondent No. 2-Regional Passport Officer, Srinagar by virtue of his communication dated **10.07.2025** had called upon the petitioner to provide proper explanation against the adverse police verification report submitted with respect to the petitioner's application for issuance of passport but then has not taken any final decision.

02. The petitioner has applied for very first time for earning passport in his favour and the exercise got stuck at the stage of adverse police verification report.

03. The petitioner in response to the aforesaid communication dated **10.07.2025** submitted a written reply thereby explaining his position that the adverse police verification report is relating to the petitioner's conviction taking place way back in the year 1993 by virtue of a judgment dated **14.09.1993** in a case "*State vs Abdul Gani Parray*" for commission of offence under section 3/7 of the Essential Commodities Act, 1955.

04. The petitioner was booked in said case under **FIR No. 51/1993** by the Police Station, Shergari and the petitioner had made judicial confession before the court of the learned Sessions Judge, Srinagar which led to his conviction and sentence.

05. The petitioner in his reply to the notice dated **10.07.2025** has explained that the said conviction cannot count to be a disqualifying circumstance against the petitioner to earn his passport as the nature of the conviction does not fall within the scope of mischief by virtue of which denial of passport can be envisaged/sustained.

06. Be that as it may, it is if for the respondent No. 2-Regional Passport Officer, Srinagar to take a

final call on the explanation of the petitioner which upon being taken may or may not result in issuance of passport in favour of the petitioner and would thus determine the next legal course of action/option for the petitioner.

07. Accordingly, this writ petition is disposed of with a direction to the respondent No. 2-Regional Passport Officer, Srinagar to decide the representation of the petitioner within a period of thirty (30) days from the date of passing of this order.

08. Any final outcome in case adverse against the petitioner shall render the petitioner well within his right to seek appropriate legal course of action for redressal of his grievance. The petitioner shall also be given opportunity of personal hearing by the respondent No. 2-Regional Passport Officer, Srinagar on the date to be fixed for consideration of the matter.

09. Writ petition **disposed of.**

**(RAHUL BHARTI)
JUDGE**

SRINAGAR:
24.09.2025
"HAMID"