



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF FEBRUARY 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 290 OF 2026 (GM-PASS)

BETWEEN:

SRI. VIKASH B
AGED ABOUT 28 YEARS,
S/O BABULAL,
RESIDING AT, NO.191,
2ND STAGE, GAYATHRIPURAM,
MYSURU, KARNATAKA-570 019.

...PETITIONER

(BY SRI. VENKATESH R BHAGAT., ADVOCATE)

AND:

1. UNION OF INDIA
MINISTRY OF EXTERNAL AFFAIRS,
SOUTH BLOCK,
NEW DELHI-110 011.
BY ITS CHIEF SECRETARY.
2. THE REGIONAL PASSPORT OFFICE,
BENGALURU, 8TH BLOCK,
80 FEET ROAD,
KORAMANGALA,
BENGALURU,
KARNATAKA-560 095.
3. STATE OF KARNATAKA BY
UDAYAGIRI POLICE STATION





UDAYAGIRI, MYSURU,
KARNATAKA-570 019.

...RESPONDENTS

(BY SMT. SWAMINI G MOHANAMBAL., CGC FOR R1
AND R2; SRI. B. RAVINDRANATH., AGA FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR RECORDS PERTAINING TO THE IMPUGNED INTIMATION LETTER DATED 18.12.2025, BEARING FILE NO. BNU066022890425 /APPLICATION REFERENCE NO. 25-1067139230, ISSUED BY THE RESPONDENT NO.2 REGIONAL PASSPORT OFFICER, BENGALURU, PRODUCED AS ANNEXURE-A; B) ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION QUASHING THE IMPUGNED OBJECTION LETTER DATED 18.12.2025, ISSUED BY THE RESPONDENT NO.2 AT ANNEXURE-A, WHEREBY THE ISSUANCE OF PASSPORT TO THE PETITIONER HAS BEEN REFUSED SOLELY ON THE GROUND OF PENDENCY OF CRIMINAL PROCEEDINGS, DESPITE THERE BEING NO RESTRICTION IMPOSED BY THE COMPETENT CRIMINAL COURT ON THE PETITIONER'S FOREIGN TRAVEL; C) ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENT NOS.1 AND 2 TO



ISSUE PASSPORT TO THE PETITIONER, WITHOUT INSISTING UPON POLICE NOC OR PRIOR PERMISSION OF THE CRIMINAL COURT.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioner is aggrieved by the second respondent's [*Regional Passport Officer, Bengaluru*] Intimation Letter dated 18.12.2025 [*Annexure-A*]. The second respondent has informed the petitioner that his application for issuance of a passport is rejected. It is undisputed that a *First Information* is registered against the petitioner by the jurisdictional police in Crime No.106/2023. The petitioner contends that this FIR against him is as a person who has received stolen jewellery, and therefore, these penal proceedings cannot be a reason to refuse passport.



Ms. Swamini G Mohanambal, the learned counsel for the first and second respondents, submits without dispute from Mr Venkatesh R Bhagat, the learned counsel for the petitioner, that the Police have filed a charge sheet against the petitioner and that he could be on bail. The petitioner is indeed entitled to travel and therefore for a passport, but whether he should travel with the pending criminal proceedings must be examined by the Principal Civil Judge and JMFC, Byadagi [*the Jurisdictional Court*].

The Jurisdictional Court, if an application is filed, will examine the petitioner's request and the terms upon which he must be permitted to travel. The petitioner must, therefore, apply in the pending proceedings and then approach the second respondent, based on the permission granted. As stated by Ms. Swamini G Mohanambal, the second respondent will issue either a *Full Validity Passport* or



a Short Validity Passport based on the permission granted. Hence the following

ORDER

The petition stands disposed of with liberty to the petitioner to file an application in the pending proceedings calling upon the Jurisdictional Court to decide on such application expeditiously within four [4] weeks from the date of such application.

**Sd/-
(B M SHYAM PRASAD)
JUDGE**

AN/-