



2026:AHC-LKO:7618-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - C No. - 12461 of 2025

Vinay Pratap Singh

.....Petitioner(s)

Versus

Union Of India Thru. Secy. Ministry Of External
Affairs New Delhi And Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Arshad Siddiqui
Counsel for Respondent(s)	:	A.S.G.I.

Court No. - 1

HON'BLE RAJAN ROY, J.

HON'BLE ABDHESH KUMAR CHAUDHARY, J.

1. Heard learned counsel for the petitioner and Sri S.B. Pandey, learned DSGI and Senior Advocate assisted by Sri Varun Pandey, learned counsel for the opposite party nos. 3 and 4 and learned Standing Counsel for the State.

2. This petition has been filed seeking following main reliefs:-

"i. To Issue a writ of Certiorari quashing the impugned order/intimation dated 03.12.2025 passed by the Regional Passport Officer, Lucknow, contained as annexure No-1

ii. Issue a writ of Mandamus directing the respondents to restore and release the petitioner's passport forthwith, in the interest of justice."

3. Admittedly, there are two criminal cases pending against the petitioner but according to the petitioner proceedings of the trial court have been stayed by the High Court in exercise of its power under Section 482 Cr.P.C. Copies of the orders are annexed as Annexure Nos. 3 and 4 to this writ petition.

4. No doubt, the order impugned, which is dated 03.12.2025 does not refer to any show cause notice having been issued to the petitioner prior to impounding of the passport under Section 10 of the Passport Act, 1967 but where the factum of pendency of two criminal cases is admitted to the petitioner, this by itself does not persuade us to interfere in the matter.

Moreover, in catena of decisions of this Court including one in the case of ***Smt. Rasmi Kapoor Vs. UOI and other (Writ-C No. 3617 of 2022 dated 21.06.2022)***, even in such an eventuality, the petitioner will have to seek NOC or approval from the High Court where the proceedings under Section 482 Cr.P.C. arising out of the criminal case referred in the writ petition are pending in view of the said decision.

5. We, accordingly, **dispose of** this petition in terms of the decision in ***Smt. Rasmi Kapoor (Supra)*** with liberty aforesaid.

6. If any such NOC or approval granted by the Court concerned, it can be submitted before the Regional Passport Officer, who will be obliged to revisit the order dated 03.12.2025. However, if the NOC or approval is not granted then of course the situation would be different.

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(Abdhesh Kumar Chaudhary,J.) (Rajan Roy,J.)

February 2 , 2026
Anuj Singh