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WP-18222-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 20th OF JUNE, 2025WRIT PETITION No. 18222 of 2025*UDIT**Versus**UNION OF INDIA*

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Appearance:

Shri Nitin Singh Bhati - Advocate for the petitioner.

Shri Bhuwan Deshmukh- G.A. for the State.

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ORDER

Heard.

2] This petition has been filed by the petitioner under Article 226 of the Constitution of India, seeking the following reliefs:-

"In view of the foregoing, the Petitioner most respectfully prays that this Hon'ble Court may be pleased to:

1. Quash and set aside the order dated 06/02/2025 passed by the learned Judicial Magistrate First Class, Indore, rejecting the Petitioner's application for passport issuance and travel abroad.
2. Direct the Respondent, Regional Passport Office, Bhopal, to issue the Petitioner's passport with a validity of 5/10 years at the earliest to enable him to submit the IELTS examination form.
3. Grant permission to the Petitioner to travel abroad for higher education, subject to any conditions this Hon'ble Court may deem fit and proper.
4. Pass any other order(s) or direction(s) that the Hon'ble Court may consider just, fair, and proper in the interest of justice and equity."

3] The petitioner is aggrieved by the order dated 06.02.2025 passed in Case No.10912/2024 by Judicial Magistrate First Class, Indore, whereby, the petitioner's application for permission to obtain passport has been rejected by the Trial Court on the ground that, although the charge-sheet has been filed against the petitioner under Sections 279, 337 and 338 of the Indian Penal Code, 1860 and Sections 146/196, 5/180, 3/181 of the Motor Vehicles Act, 1988 but the charges have still not been framed, and for that purpose, petitioner's presence would be required in the Court, and in such



circumstances, if he is allowed to travel abroad, it would cause unnecessary delay in the conclusion of trial.

4] Counsel for the petitioner has submitted that the petitioner is a student and intends to study abroad, and for which purpose, he is also required to obtain the passport. It is submitted that presently, the petitioner is only seeking that he may be issued a passport, however, so far as his travelling abroad is concerned, he undertakes that he would do so only after obtaining proper permission from the Trial Court.

5] On due consideration of submissions, and on perusal of the documents filed on record, as also the order of rejection of permission to obtain passport dated 06.02.2025, this Court is of the considered opinion that since the petitioner is only seeking permission to obtain passport, and not to travel abroad, there is no legal impediment for such renewal, especially when the charge-sheet has already been filed in a minor offence of accident.

6] Accordingly, the impugned order dated 06.02.2025 is hereby set aside and the petitioner is permitted to file a fresh application to obtain passport from the concerned authority.

7] Needless to say, if the petitioner intends to travel abroad, he shall be required to file an appropriate application before the Trial Court, which shall be decided in accordance with law.

8] With the aforesaid, the petition stands *disposed of*.

(SUBODH ABHYANKAR)
JUDGE