

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 13888 of 2025**

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MOHASIN SABBIR AHMED SURATI
Versus
UNION OF INDIA & ANR.

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Appearance:

JAYDEEP H SINDHI(9585) for the Petitioner(s) No. 1

MR PRADIP D BHATE(1523) for the Respondent(s) No. 1,2

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CORAM:HONOURABLE MR. JUSTICE ANIRUDDHA P. MAYEE**Date : 25/11/2025****ORAL ORDER**

1. By the present writ petition, the petitioner impugns the order dated 25.08.2025 whereby an objection has been raised in respect of the passport application of the petitioner seeking a suitable explanation for suppression of offence under Section 281 of BNS registered with Lunawada Town Police Station which is pending adjudication.

2. A perusal of the said F.I.R. shows that the petitioner was involved in rash and negligent driving endangering the lives of the pedestrians. The passport application of the petitioner has therefore, been put on hold.

3. It is submitted by learned advocate for the petitioner that as per the communication dated 25.08.2025, a suitable written explanation has also been given to the Embassy of India at Kuwait on 07.09.2025. He submits that the petitioner herein also undertakes to remain present and fully cooperate with the learned Trial Court for expeditious disposal of such criminal

proceedings. It is further submitted that since the petitioner is residing in foreign country, he requires a valid passport or he would face forceful deportation and permanent blacklisting which would put his livelihood at stake. He, therefore, submits that appropriate direction be passed to process the application of the petitioner for renewal of passport expeditiously.

4. Mr. Pradeep Bhate, learned counsel for the respondents submits that since the F.I.R. as well as criminal case is pending against the petitioner, the passport authorities have validly raised such an objection. He submits that the objections raised are valid. He submits that appropriate directions be passed in the present case.

5. Heard learned counsels for the parties and perused the documents on record.

6. In the present case, the F.I.R. has been filed against the petitioner for rash and negligent driving and thereby putting the lives of the pedestrians at risk. It is averred in the petition that the petitioner was not aware of any such F.I.R. filed against him by the police authorities since the complainant is a Police Head Constable. The petitioner herein has undertaken that he shall cooperate in the expeditious disposal of the criminal proceedings and shall also attend the trial. A written explanation has also been given to the Embassy of India at Kuwait as per the impugned communication dated 25.08.2025.

7. In the peculiar facts and circumstances of the present case and considering the nature of offence as mentioned in the F.I.R.,

this Court is inclined to direct the respondent No.2 to process the Passport Application Reference No.25-2003972624 of the petitioner within a period of 4 weeks on its own merits and in accordance with law in view of the written explanation dated 07.09.2025 submitted before the authorities. The present order is also passed keeping in view the fact that the petitioner is working in Kuwait and would have to face serious consequences if the renewal of the passport is not considered.

In view of aforesaid observations and direction, the present Special Civil Application stands disposed of. No order as to costs.

KAUSHIK D. CHAUHAN

(ANIRUDDHA P. MAYEE, J.)