

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP(C) 3306/2023

MOHAMMAD RAMZAN WANI

..... Petitioner(s)

Through: Mr. Saqib Shabir, Adv.

UNION OF INDIA AND ORS.

.. Respondent(s)

Through: Ms. Shagfuta Maqbool, Adv.
vice Mr. T M Shamshi, DSGI.
Mr. Shahbaz Sikander, AAG
vice Mr. Mohsin Qadiri, Sr. AAG

Coram:

Hon'ble Mr. Justice Rajnesh Oswal, Judge

ORDER

09.09.2026

1. The petitioner, aged 78 years, has filed this petition for commanding the respondents in particular respondent No. 3 to issue passport in favour of the petitioner.
2. It is submitted that the petitioner had earlier applied for issuance of passport. However, the same was rejected by the respondent No. 3 on the ground that the police verification report dated 26.12.2022 carries adverse remarks. Thereafter the petitioner again applied online with the respondent No. 3 for issuance of passport, however the application was returned with the endorsement "Police verification report is not clear

and the application is under review at Regional Passport Office”.

3. The respondent No. 4 in his response has stated that the passport verification report of the character and antecedents of the petitioner under File No. SG1066617420022 was received from SSP District Srinagar and it transpired that the petitioner was involved in case FIR No. 111/1988 under Section 307 RPC of Police Station, Safa Kadal, Srinagar regarding which charge sheet was also filed before the court of learned 3rd Additional Sessions Judge, Srinagar on 05.08.1988. Accordingly, the factual report was forwarded to the Regional Passport Officer vide CID Hqrs letter No. CID/PP/factual/22/126793 dated 26.12.2022. It is further stated that the CID has no prerogative of deciding whether or not, to extend any relief whichever is due to the respective individual and the same is in the exclusive domain of the passport issuing authority.
4. Respondent No. 1 and 3 has also responded to the petition by asserting that pursuant to the application submitted by the petitioner, verification was sought and CID/Police verification report dated 26.12.2022 reveals that the petitioner

was involved in case FIR No. 111/1988 registered with Police Station, Safa Kadal, Srinagar. The petitioner thereafter was accordingly informed about the aforesaid report of CID and Notice No. SCN/322233500/23 dated 11th February 2023 was issued to the petitioner to seek “no objection/acquittal order” from the concerned court but the petitioner did not respond to the same.

5. In terms of order dated 27.08.2026, it was observed that the report submitted by the 3rd Additional District and Sessions Judge, Srinagar reveals that there is no case pending regarding FIR No. 111/88 of Police Station, Safa Kadal titled *State Vs. Mohammad Ramzan Wani*.
6. In view of the report submitted by the learned 3rd Additional Sessions Judge, Srinagar, it is evident that no charge sheet arising out of FIR No. 111/1988 is pending before the concerned court and once no such case is pending, respondent No. 1 and 3 cannot refuse to issue passport to the petitioner merely on the basis of the verification report submitted by the respondent No. 4 regarding involvement of petitioner in case FIR No. 111/1988.

7. Accordingly, this writ petition is disposed of by directing the respondent No. 1 and 3 to decide the application of the petitioner for issuance of passport notwithstanding the police verification report regarding case FIR No. 111/1988 and there is no other legal impediment. This Court is sanguine that the respondent No. 1 and 3 will pass appropriate orders within a period of three months from the date a certified copy of this order is made available to the said respondents.
8. Disposed of as above.

(Rajnish Oswal)
Judge

SRINAGAR
09.09.2026
Aasif