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**HIGH COURT OF TRIPURA**  
**AGARTALA**

**WP(C)No.200 of 2020**

**Sri Soumen Sarkar,**

son of Sri Gopal Chandra Sarkar,  
resident of 69/2 Gangali Road,  
Netaji Chowmuhani, Agartala,  
District : West Tripura, PIN : 799001

----Petitioner(s)

Versus

**1. The State of Tripura,**

to be represented by the Secretary,  
Home Department, Government of Tripura,  
New Secretariat Complex, P.S. New Capital Complex,  
P.O. Kunjaban, Agartala, West Tripura, PIN : 799006

**2. The Director General of Police,**

Government of Tripura,  
Police Head Quarters, Fire Brigade Chowmuhani,  
P.O. Agartala, PIN : 799001

**3. The Superintendent of Police,**

Government of Tripura, New Secretariat Complex,  
P.S. New Capital Complex, P.O. Kunjaban,  
Agartala, West Tripura, PIN : 799006

**4. The Union of India,**

to be represented by the Secretary,  
Union Home Secretary, Home Department,  
Government of India, North Block,  
New Delhi-110001

**5. The Commissioner (Immigration),**

Bureau of Immigration,  
Office address : East-VIII, Level-V,  
Sector-1, R.K. Puram, New Delhi-110066,  
Tel No: 011-26102622(Telefax)

**6. The Regional Passport Officer,**

Regional Passport Office, Kolkata,  
4 Brabourne Rd, 1<sup>st</sup> Floor, Radha Bazar,  
Lal Bazar, Kolkata, West Bengal 700001, India

---- Respondent(s)

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For Petitioner(s)	:	Mr. A. Roy Barman, Adv. Mr. K. Nath, Adv.
For Respondent(s)	:	Mr. B. Majumder, Asst. S.G. Mr. S. Kar Bhowmik, Sr. Adv. Mr. A. Bhattacharjee, Adv.
Date of delivery of Judgment & Order	:	12.03.2021
Whether fit for reporting	:	YES.

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**HON'BLE MR. JUSTICE S. TALAPATRA**

**Judgment & Order(Oral)**

By means of this petition, filed under Article 226 of the Constitution of India, the petitioner has challenged the lookout circular dated 28.01.2020 by Bureau of Immigration and communication dated 30.09.2018 written by the Superintendent of Police, West Tripura to the Regional Passport Officer at Kolkata. He has further challenged the letters dated 14.10.2019 and 13.11.2019 written by the Superintendent of Police, West Tripura to the Bureau of Immigration.

2. The writ petitioner is a non-resident Indian and he has been hosting a news portal named and styled as *Tripura Infoway.com* which is registered in U.S.A. The petitioner also holds the position of editor of the said news portal. The said news portal has become the target, according to the petitioner, for fearlessly exposing the cause of common people. The parents of the petitioner residing permanently in Tripura. His father is an octogenarian whereas his mother is a

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septuagenarian. They have become subjected to harassment by the police. He and his parents had been threatened and intimidated by the police personnel. Smti. Neuti Sarkar, the mother of the petitioner had approached this High Court by filing a writ petition being WP(C)No.52/2019 wherein the Superintendent of Police, West Tripura had been directed to assuage the petitioner's parents and visit their residence after giving notice for appointment in their convenient time considering their age, if the police were in need of any information from them [see the order dated 17.01.2019 delivered in WP(C)No.52/2019]. Against the petitioner, cognizance under Section 500 of the IPC was taken by the Sessions Judge, West Tripura, Agartala for alleged streaming of false content in his news portal. The said case had been registered as CR 04/2017.

3. Sri Gautam Das, a leader of the ruling party at the relevant point of time filed a complaint against the petitioner for streaming a news item on 22.10.2017 in his portal. Cognizance was taken under Section 500 of the IPC by the order dated 07.12.2017 in C.R.373/2017 by the Chief Judicial Magistrate, West Tripura. Another complaint being CR01 of 2018 was launched by Sri Saheed Choudhury, the then Minister, Department of Youth Affairs and Sports, Government of Tripura alleging defamation and cognizance was taken by the Sessions Judge on 05.04.2018 under Section 500 of the IPC. Again, another complaint was lodged by Sri Biplab Kumar Deb, Chief

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Minister of Tripura through the Public Prosecutor, District-West Tripura taking aid of section 199(2) of the Cr.P.C. By the order dated 04.05.2019 cognizance has been taken against the petitioner under Section 500 of the IPC. One 'false' compliant had been to the police station on 21.09.2018 to the Officer-in-Charge East Agartala Police Station by a person alleging that at about 11 hrs., the petitioner called him and demanded a sum of Rs.2,00,000/- with warning that if the said demand was not met, the 'information' regarding his involvement in drug smuggling would be broadcast. On the basis of the said written complaint, an investigation was initiated under Section 157 of the Cr.P.C. on entering the substance of the compliant in East Agartala P.S. G.D. Entry No.37 dated 21.09.2018. Another compliant of that nature was also filed in East Agartala P.S. and on the basis of the said complaint, East P.S. case No.207 under section 384/511 of the IPC was registered. The petitioner has filed one criminal petition being Criminal petition No. 51 of 2019 in this High Court for quashing East Agartala P.S. Case No.208 Eag/2004 under Section 384/511 of the IPC.

4. The petitioner has asserted that all these criminal cases have been filed by different persons in power for silencing his news portal for exposing the truth in the interest of the common people. To grind further, there had been request from the Superintendent of Police that the petitioner's passport and visa be cancelled. The

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petitioner was searched in his parents residence on perception or information that he was staying there. Thereafter, lookout circular has been issued against the petitioner. The police has become extremely aggressive and they had started showing their muscle in order to harass the family of the petitioner. One survey has been carried out by Mr. Bijay Methew Associate Professor of Information System, Rider University, New Jersey and it has been assessed that the petitioner's portal carries high quality news and information. His portal specializes in content, related to the North Eastern State of India with additional focus on National Indian news. Its investigative content, according to Mr. Methew, is clear in its conclusion and most part does not exceed advance evidence.

5. The petitioner has quite robustly asserted that attempt to get the petitioner's passport impounded cannot get any support from law as provided by Passport Act, 1967. Section 10(3) provides that the passport authority may impound or cause to impound or revoke a passport or travel document, if the passport authority is satisfied that the holder of the passport is wrongfully possessing the same. Such action can be resorted to if the passport or travel document was obtained by suppression of material information or on the basis of wrong information provided by holder of the passport or travel document or the holder of the passport has failed to comply with the notice requiring him to deliver of the same on requisition.

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6. The Bureau of Immigration headquarters issued lookout circular (LOC) against LOC suspect No.1847354 i.e. the petitioner. Bureau of the Immigration headquarters, by their communication dated 28.01.2020, informed the Superintendent of Police, West Tripura that one regular LOC in respect of the petitioner has been extended till 07.01.2020. The petitioner has categorically asserted that there had no valid reason at all to issue LOC against the petitioner. The action of the police as such has been designed to restrict the petitioner's visit to India. In para-29, 30 and 31 the petitioner has asserted as under :

**"29. That, the Petitioner is ready to join the investigation and face the criminal cases maliciously lodged against him. The Petitioner is not absconding. Though LOC is nowhere defined in the Cr.P.C., but in common parlance, LOC means a document, used by the authority to check, prevent and monitor effectively the entry or exit of a person, wanted by the law enforcement agencies. Normally, LOC is issued when a person is absconding in a particular case against him and there is fear, that, he may leave the country.**

**30. That, the Petitioner is not absconding. As the petitioner is presently staying in USA, the Petitioner always responded to Police email notices, co-operated with authorities. Petitioner is not in a position to join investigation. Moreover, if the Petitioner visit Tripura, there is tangible apprehension, that, he may be subjected to extrajudicial killing, because due to the fearless exposure of the People in power, through Tripurainfoway.com, the Petitioner has earned the wreath and vengeance of those powerful people whose misdeeds had been exposed by the Tripurainfoway.com.**

**31. That, the Petitioner could not procure the LOC issued against the Petitioner. But from the email, communicated between the Bureau of Immigration and the Superintendent of Police, West Tripura District, is found, that, regular LOC against the Petitioner has been extended till 17.11.2020. The**

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**Respondents may be directed to produce the LOC before the Hon'ble Court."**

7. The petitioner has reiterated his submission that the action of the Superintendent of Police, West Tripura asking the passport officer to impound/cancel the passport of the petitioner without compliance of the provisions of Section 10(3) of the Passport Act, 1987 is grossly illegal. The respondents have become hand in glove to silence the voice of his fearless news portal which has been continually exposing the people in power for advancing the cause of the common people.

8. In reply to the averments of the petitioner, the respondents No.4 and 6 i.e. Union of India and Regional Passport Officer by filing their reply have clearly stated that when the passport No.Z1819268 was issued in favour of the petitioner, it was issued by the Consulate General of India, New York. On 28.07.2008. The said passport was suspended on 20.03.2015 after recording the remark "acquired U.S. citizenship." They have not disclosed that any action is in contemplation against the petitioner. However, they have admitted that the request of the police authority has been forwarded to the Assistant Consulate Office at New York on 05.08.2019.

9. The respondent No.5 has categorically stated that as per MHGA Guidelines dated 27.10.2010 (para-8/F)"the legal liability of the action taken by immigration authorities in pursuance of LOC rest with originating agency and not with Bureau of Immigration. Bureau of

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Immigration is only the custodian of LOCs at immigration check post (ICPs) at the behest of originating agency. Further, the legal action taken by immigration authorities in pursuance of LOC rest with the originating agency." They have categorically stated that Bureau of Immigration(BOI) has no objection if LOC is recalled or withdrawn by the originator, the Superintendent of Police, West Tripura District or the concerned court directs for the same.

10. The respondents No.1, 2 3 by filing the reply has contended that lookout circular has been issued for the interest of investigation in the following cases :

- "1. East Agartala PS case No.2018EAGI85, dated 28/09/2018. U/s 501(b) IPC.**
- 2. East Agartala PS case No.2018EAG204, dated 29/08/2018. U/s 384/511 IPC.**
- 3. East Agartala PS case No.2018EAG218, dated 22/01/2018. U/s 468/469/501/120(B)IPC.**
- 4. West Agartala PS case No.2019EAG084, dated 27/04 2019. U/s 120B/501/509/384/506 IPC & 67 IT Act."**

11. The respondents No.1, 2 and 3 have, however, denied that the petitioner was ever threatened and intimidated by the police personnel of West Tripura district by visiting his residence on odd hours. They have also denied that the police has been trying to muzzle the news portal of the petitioner.

12. All the cases as referred above, according to those respondents are still under investigation. Those respondents have categorically stated that at their instance, the following LOCs were issued:



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**"LOC No.1/SIC/ACK/LOC-2018-12510 dated 17.11.18. w.e.f. 18.11.2018 to 17.11.2019 and subsequently LOC No.1/SIC/ACK/LOC-2020-7889 dated 05.11.2020 w.e.f.05.11.2020 to 17.11.2021 had been issued [Annexure-E to the reply filed by the respondents No.1, 2 and 3]."**

Even, they have admitted that the Superintendent of Police has issued letters for domain cancellation of the U.S. company and according to them, the same was done in the interest of justice. According to them, the notices under Section 41A of the Cr.P.C. were issued against the petitioner to appear before the investigating officer in cases as referred below :

- "1. East Agartala PS case No.2018EAGI85, dated 28/09/2018, U/s 501(b) IPC.**
- 2. East Agartala PS case No.2018EAG204, dated 29/08/2018, U/s 384/511 IPC.**
- 3. East Agartala PS case No.2018EAG218, dated 22/01/2018, U/s 468/469/501/120(B) IPC."**

It has been also stated that investigations are in progress in those cases.

13. The respondents have admitted that despite the complaint filed against two police officers, the petitioner's complaint has not been registered [see para-23]. According to the respondents, communication made to the U.S. Company was not for defaming the petitioner but in the interest of investigation but there is no explanation in respect of referring the petitioner as "criminal" in their letter. According to those respondents, the petitioner's case falls under Section 10(3)(e) and Section 10(3)(h) of the Passport Act. Those provisions are reproduced hereunder for purpose of reference :

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**10(3) the passport authority may impound or cause to be impounded or revoke a passport or travel document---**

.....  
**(e) if proceedings in respect of an offence alleged to have been committed by the holder of the passport or travel document are pending before a criminal court in India ;**

.....  
**(h) if it is brought to the notice of the passport authority that a warrant or summons for the appearance, or a warrant for the arrest, of the holder of the passport or travel document has been issued by a court under any law for the time being in force or if an order prohibiting the departure from India or the holder of the passport or other travel document has been made by any such court and the passport authority is satisfied that warrant or summons has been so issued or an order has been so made....."**

The respondents No.1, 2 and 3 has stated that LOC has been issued against the petitioner in the interest of investigation.

14. Finally, the respondents No.1, 2 and 3 have contended that no case has been made out for interference under Article 226 of the Constitution of India. Even though, the communication made in the format as referred in the letter dated 18.11.2018 [Annexure-A to the reply filed by the respondents No.1, 2 and 3] is not available with the reply but from the communication dated 15.11.2019 it appears that since the petitioner is involved in four criminal cases under West Tripura district and a warrant of arrest had been issued against him by the court of the Judicial Magistrate (1<sup>st</sup> class), Court No.7, Agartala LOC was issued at their instance.

From the reply filed by the respondent No.6 it has become crystal clear that Indian Passport Authority does not have any authority to cancel or impound the passport of the petitioner,

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inasmuch as the petitioner's passport has not been issued by the Indian Passport Authority.

15. Mr. A. Roy Barman, learned counsel appearing for the petitioner has submitted that there is no warrant issued by any court pending against the petitioner. That apart, the petitioner has by filing an affidavit on 25.11.2020 has undertaken that as soon as he shall arrive in India and thereafter at Agartala, he shall inform the concerned police station where criminal cases have been filed against him.

16. Mr. Roy Barman, learned counsel has quite emphatically submitted that by requesting the passport authority to impound the passport 'without any evidence' that the petitioner is liable to be proceeded under Section 10(3) of the Passport Act. In the name of investigation's interest, the police cannot function to the detriment of the petitioner's liberty. Mr. Roy Barman, learned counsel has categorically submitted that no court has ever issued any order for impounding the passport or cancelling it. Despite that, the police had jealously approached the Regional Passport Officer to ensure that the passport of the petitioner is impounded.

17. Mr. Roy Barman, learned counsel appearing for the petitioner has further submitted that there is no ground for issuing LOC against the petitioner. The ground that has been assigned is that against him three criminal cases are being investigated. The

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respondent No.5 has without any inhibition stated that BOI will have no objection if the LOC against the petitioner is withdrawn.

18. Mr. S. Kar Bhowmik, learned senior counsel appearing for the respondents No.1, 2 and 3 have submitted that since the petitioner was defying the notices under Section 41A of the Cr.P.C., the said step was taken. Having referred to the office memorandum dated 27.10.2010 [Annexure-15 to the writ petition], it has been contended that following the direction given by the High court of Delhi in **Bikram Sharma versus Union of India** it has been observed that there are large number of statutory bodies in the level of the centre and states which perform judicial functions and are vested with, for purpose of conducting enquiries upon receiving complaints, the powers of a civil court. These include the National Human Rights Commission (NHRC), NCW, National Commission for Protection of Child Rights. Those statutory bodies however have not been vested with powers of a criminal court and do not have powers to enforce criminal law. The MHA memorandum has clearly laid down that the request for issuance of LOCs cannot emanate from statutory bodies like NCW. If at all, such bodies should bring the necessary facts to the notice of the law enforcing agencies like the police which will then make the request for the issuance of the LOC upon an assessment of the situation as narrated in format and strictly in terms of procedure outlined for the purpose.

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19. Mr. Roy Barman, learned counsel has referred to the special petition [I.A.01 of 2021] where the petitioner has brought to the notice of this court that his father namely Gopal Chandra Sarkar [aged 81 years] had been admitted in the ICU of Neurology Department at GB pant hospital on March 2, 2021. A certificate of the consultant neuro-surgeon has been annexed with the said special application as Annexure-16. The petitioner's father has been suffering from acute leucinaiar infracts in left internal capsule, basic ganglia and corona radiate. But for the lookout notice the petitioner could not be by the side of his aged and ailing father.

20. Mr. Roy Barman, learned counsel has submitted that there is no warrant pending against the petitioner. The last warrant as issued had been recalled by the Judicial Magistrate, 1<sup>st</sup> Class, Court No.7 by his order dated 23.02.2021. The warrant has been recalled and the personal attendance of the petitioner has been dispensed with. The petitioner has contended that the petitioner's human right of travelling to the country of his origin has been arbitrarily curtailed by the police in the name of investigating 'fake' cases. Be that as it may, since the petitioner has undertaken to appear before the police, this court may consider his case for recalling LOC or for directing the respondents to withdraw the same forthwith.

21. Mr. Roy Barman, learned counsel has relied on a decision of the Delhi High Court in **Sumer Singh Salkan and Others versus**

**Asstt. Director and Others** reported in **11(2010) DMC 666** where Delhi High Court has observed as under :

**"10. In the present case, the LOC was issued against the petitioner soon after the registration of FIR. It is alleged by the petitioner that LOC was issued in view of the fact that complainant's close relative was an IPS officer. This allegation of the petitioner finds support from the fact that the punishment stated by the police to Interpol in respect of the offences committed has been deliberately given as 10 years while the prescribed punishment is maximum 3 years imprisonment. The petitioner's description of being 'violent and dangerous' also has been added malafidly, with ulterior motive, in view of the fact that allegations against petitioner were of only of emotional torture. Offence of kidnapping was given as the reasons for issuance of RCN, which on the representation of petitioner was removed. It is apparent that the LOC & RCN were issued for extraneous reasons by an officer who was not authorized. The petitioner has also highlighted the difference in statements made by witnesses on different occasions. Since the matter pertaining to these offences is subjudiced, it will not be appropriate to comment on this aspect but suffice it to say that the action against the petitioner of issuing RCN was uncalled for in view of the fact that neither offence, for which the petitioner is facing trial in India, is an extraditable offence, nor any request for extradition of the petitioner has been made for the last 7 years despite knowing whereabouts of the petitioner. I, therefore, consider it a fit case for quashing the RCN issued against the petitioner at the behest of Delhi Police. The RCN, is therefore, hereby quashed."**

22. It has been further observed in that decision that if the petitioner gives an undertaking before the court for his appearance on a particular date through his counsel, lookout circular issued against the petitioner shall be withdrawn within 24 hours of giving undertaking by the petitioner. The petitioner of this case has already filed such undertaking.

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In **Sumer Singh Salkan**(supra) Delhi High Court has

framed four questions which are as under :

- “1. What are the categories of cases in which the investigating agency can seek recourse of Look-out-Circular and under what circumstances?
2. What procedure is required to be followed by the investigating agency before opening a Look-out-circular?
3. What is the remedy available to the person against whom such Look-out-Circular has been opened?”
4. What is the role of the concerned Court when such a case is brought before it and under what circumstances, the subordinate Courts can intervene?

Those questions were answered in the following manner :

- 1. Recourse to LOC can be taken by investigating agency in cognizable offences under IPC or other penal laws, where the accused was deliberately evading arrest or not appearing in the trial Court despite NBWs and other coercive measures and there was likelihood of the accused leaving the country to evade trial/arrest.**
- 2. The Investigating Officer shall make a written request for LOC to the officer as notified by the circular of Ministry of Home Affairs, giving details & reasons for seeking LOC. The competent officer alone shall give directions for opening LOC by passing an order in this respect.**
- 3. The person against whom LOC is issued must join investigation by appearing before I.O. or should surrender before the Court concerned or should satisfy the Court that LOC was wrongly issued against him. He may also approach the officer who ordered issuance of LOC & explain that LOC was wrongly issued against him. LOC can be withdrawn by the authority that issued and can also be rescinded by the trial Court where case is pending or having jurisdiction over concerned police station on an application by the person concerned.**
- 4. LOC is a coercive measure to make a person surrender to the investigating agency or Court of law. The subordinate Courts' jurisdiction in affirming or cancelling LOC is commensurate with the jurisdiction of cancellation of NBWs or affirming NBWs.”**

23. Mr. S. Kar Bhowmik, learned senior counsel appearing for the respondents No.1, 2 and 3 has submitted that the petitioner has

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been deliberately evading arrest or not appearing in the trial court despite issuance of non-bailable warrant and adopting other coercive measures. Hence, the LOC as issued by Ministry of Home Affairs against the petitioner at the request of the respondent No.3 shall not be recalled.

24. Mr. Kar Bhowmik, learned senior counsel has referred a Madras High Court decision in **S. Sivasankaran versus Foreigner Regional Registration Officer (FRRO)** [judgment dated 29.09.2020 in W.A.No.SR 49793 of 2020] where it has been observed that LOC can be withdrawn by the authority that issued and can also be rescinded by the trial court where the case is pending. In the said report, Madras High Court has opined that issuance of a lookout circular is an exercise of authority under the office memorandum dated 27.10.2010 and such a circular can be issued in larger public interest. But it has been also observed that if the accused is within the territory of India, even though he has been holding a foreign passport, his movement would be put under surveillance on considering his antecedent. No records have been produced by the state to demonstrate that the petitioner has any criminal antecedent. Mere allegation cannot form antecedent.

25. While considering the case in hand, we cannot slight the plea of the petitioner that for corona there was a global lockdown bringing the movement of traffic in a grinding halt. Even if, the



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petitioner intended to come to India for making his appearance in the court or before the police, that was not simply possible. Further, against the petitioner, as of now, no warrant is pending. This fact has not been disputed by Mr. Kar Bhowmik, learned senior counsel appearing for the respondents No.1, 2 and 3.

26. On the strength of LOC, BOI may seize the travel document, prevent the subject from entering India and inform the originator or prevent the subject from leaving India and inform the originator. Further, they can detain and handover the intercepted person to the local police and inform the originator.

27. Having perused the memorandum dated 31.08.2010 it has come to the forth that reasons for opening LOC have to be given quite categorically. The reason as assigned is pending investigations in four cases. But the police could not file the final report involving the petitioner over such a long time. In these circumstances, in the considered view of this court, the lookout notice circular could not have been issued against the petitioner inasmuch as the petitioner being a citizen of USA did not attempt to leave the territory of India in order to evade the arrest. It appears from the nature of allegations that it is not a case of extortion but an 'attempt' which may not fall within the serious crime. Moreover, the respondents No.1 and 2 did not produce the case diary to support their case of serious fraud or commission. Since, the petitioner has undertaken before this court to

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inform the police the moment he would arrive at Agartala and considering his status [vice-President, American Bank], the respondents No.1, 2 and 3 are directed to withdraw the lookout notice within 24 hours from the hour of receiving a copy of this order.

28. Allahabad High Court in **G.S.C. Rao versus State of U.P. and two Others** [judgment dated 26.09.2018 delivered in Criminal Revision No.3333 of 2018] has held that such LOCs cannot be issued as a matter of course, but only when reasons exist where the accused deliberately evades arrest or does not appear in the trial court. In this circumstances, it was held in **G.S.C. Rao**(supra) that condition precedent for issuance of the LOC was absent and the same was held liable to be set aside.

29. In the present case, no warrant of arrest issued by any court against the petitioner is pending and the petitioner is being represented by his engaged counsel. The notice under Section 41A of the Cr.P.C. was issued at a time when it was physically impossible for the petitioner to travel to India for contagion (Covid-19 lockdown). Hence, his inability to appear before the police cannot be termed as deliberate. So far the question of impounding of the passport is concerned, no case has been made out by the respondents No.1 and 2 in terms of Section 10(3) of the Passport Act. That apart, Passport Act does not authorize the Indian Passport Authority to cancel US Passport.

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30. As claimed by the respondents No.1, 2 and 3, the case of the petitioner falls under Section 10(3)(e) of the Passport Act cannot be sustained inasmuch as the circumstance as stated in clause-(e) is that in respect of commission of the offence inasmuch as the authority cannot be extended unless the travel document including a passport had been withheld by the criminal court in India or the holder of the passport has committed any offence. The holder of the passport in this clause should mean holder of the passport of this country. Otherwise, there will be requirement of the order of the criminal court directing the holder of the passport issued by a foreign country to deposit his passport so that in some circumstances he cannot evade the process of the court. So far the clause-10(3)(h) is concerned, this will not apply in the case of the petitioner as there is no warrant of arrest or summon for appearance of the petitioner is pending being issued by a court of law.

It is apparent that the passport authority has refused to act in accordance with the request made by the respondents No.1, 2 and 3.

31. This court cannot shut its eyes to the right of the petitioner. The action which curtails or takes away the personal liberty has to be reasonable and proportionate and has to be considered not in the abstract or hypothetical considerations.

32. Having regard to all these aspects as recorded above, the lookout circulars as issued against the petitioner stands quashed. As

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there is no contemplation of impounding of the passport by way of overstepping the authority, it is directed that without the order of the competent criminal court, the investigating agency shall not venture for taking action for impounding the passport of the petitioner as coercive measure. It is further directed that on arrival at Agartala, the petitioner shall give information to the investigating agency and respond to the summons issued by the criminal courts or comply the order of the courts. It is made absolutely clear that the observations as made above reflect in no manner on the merit of the investigation, but the investigations should be brought to its end without delay.

In terms of the above, the writ petition stands allowed.

There shall be no order as to costs.

**JUDGE**



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