



2026:DHC:4789



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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6124/2025**

Date of decision: **21.05.2026**

**IN THE MATTER OF:-**

JASMINE JANGRA (MINOR, THROUGH HER MOTHER AND  
NATURAL GUARDIAN, SMT. RENU SHARMA)

.....Petitioner

Through: Mr. Pardeep Sharma, Advocate.

Versus

UNION OF INDIA & ANR.

.....Respondents

Through: Ms Arunima Dwivedi CGSC with Ms  
Himanshi Singh and Ms Monalisha  
Pradhan, Advocates.

**CORAM:**

**HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV**

**J U D G E M E N T**

**PURUSHAINDRA KUMAR KAURAV, J. (ORAL)**

1. This petition is filed by the minor petitioner, Ms. Jasmine Jangra through her mother Mrs. Renu Sharma, seeking a direction to respondent no.2/Regional Passport Officer, to issue a passport for the petitioner without requiring the consent/signature of her father, Mr. Shyam Sunder Sharma.

2. Apart from the absence of a No-Objection Certificate from the petitioner's father, there exists no impediment to the issuance of the petitioner's passport.



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3. The respondent authorities made sufficient efforts to contact the petitioner's father; however, they were unable to establish communication with him.

4. **Section 6(2) of the Passports Act, 1967** lays down the provisions under which the passport authority shall refuse to issue a passport. Absence of one parent's NOC/signature is not, by itself a statutory ground of refusal. The relevant portion of the statute is reproduced below for clarity:-

***“6. Refusal of passports, travel documents. etc.***

*(1)*

....

*(2) Subject to the other provisions of this Act, the passport authority shall refuse to issue a passport or travel document for visiting any foreign country under clause(c) of sub-section (2) of section 5 on any one or more of the following grounds, and on no other ground, namely: -*

*(a) that the applicant is not a citizen of India.,*

*(b) that the applicant may, or is likely to, engage outside India in activities prejudicial to the sovereignty and integrity of India.,*

*(c) that the departure of the applicant from India may, or is likely to, be detrimental to the security of India;*

*(d) that the presence of the applicant outside India may, or is likely to, prejudice the friendly relations of India with any foreign country;*

*(e) that the applicant has, at any time during the period of five years immediately preceding the date of his application, been convicted by a court in India for any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than two years;*

*(f) that proceedings in respect of an offence alleged to have been committed by the applicant are pending before a criminal court in India;*

*(g) that a warrant or summons for the appearance, or a warrant for the arrest, of the applicant has been issued by a court under any law for the time being in force or that an order prohibiting the departure from India of the applicant has been made by any such court;*



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*(h) that the applicant has been repatriated and has not reimbursed the expenditure incurred in connection with such repatriation;*

*(i) that in the opinion of the Central Government the issue of a passport or travel document to the applicant will not be in the public interest.”*

5. The issuance of passport on the consent of a single parent is consistent with the procedure contemplated by the passport authorities. **Annexure ‘C’** to the Passport Seva/Passport issuing authority procedure titled ***‘Specimen Declaration By Applicant’s Parent for issue of Passport to Minor When One Parent Has not Given Consent’***. The said procedure contemplates for a situation where the “*signature/consent*” of one parent has not been obtained for reasons stated therein. The applying parent, is permitted to disclose the reason for not obtaining such consent, and proceed forward with the application after furnishing an undertaking, regarding the minor child being in his/her care and custody. Thus, the passport regime does not treat the absence of consent of one parent as an absolute bar. The relevant portions of the Passport Seva, Annexure ‘C’ is extracted below for better clarity:-

“....

*(g) The parents are divorced/ judicially separated or there is ongoing court case for divorce/judicial separation however the custody of minor child has not been invoked/ prayed in the divorce petition or the custody of the minor is not disputed.*

*[Supporting documents to be enclosed: Copy of divorce decree/court order or Divorce petition/application as the case may be.]*

*(h) One of the parents is willfully denying to give his/her consent. [Supporting documents to be enclosed: Copy of communication/documents from other parent denying consent. PIA to decide if the documents submitted are sufficient to establish this.]*

*(i) One of the parents has deserted/ abandoned child/parent after conception/birth of child and whereabouts of such parent are not known. [Appropriate Supporting documents to be enclosed. PIA to decide if the documents submitted are sufficient to establish this.]*



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6. Reference can be made to the Judgement passed by the High Court of Kerala in *Juvairiya v Union of India*<sup>1</sup>, where the Court had considered the issuance of passport on consent not being obtained from the other parent, and held that if the affidavit as required under the Passport Rules, 1980 is submitted, then necessarily, the passport officer would have to issue passport in the name of the minor. The relevant portion of the judgement is extracted below for better clarity.

*“.... in the absence of consent of the other parent, only an affidavit in the form prescribed in Annexure “G” is required to be produced along with the other documents mentioned therein. In the instant case, such an affidavit was also filed and that affidavit has not been found to be defective. ....if the applicant parent is not in a position to get the consent of the other parent whatever be the reason for such inability, all that is required to be produced along with the application, apart from other documents, is an affidavit in Annexure “G”. It is not necessary for such an applicant to produce the consent of the other parent or an order by the court granting custody of the child to him/her. If such an order is there it has to be produced but it is not stipulated that in cases where an order granting custody of the child to the applicant parent has not been passed by a competent court, the parent having custody cannot apply for a passport for the minor child. All that the law requires in such a case is the production of a sworn affidavit in the form prescribed in Annexure “G” as also other documents set out in table 2 in respect of case No. 11. I accordingly hold that the stand taken by the respondent in Ext.P4 letter runs counter to the rules and the guidelines set out therein and that it is liable to be set aside.”*

7. The said principle had been has been reiterated by the same High Court in *Rabeeha v Union of India*<sup>2</sup>. The relevant portion of the judgement is reproduced below for better clarity:-

*“5. At the outset, it is to be noticed that the 3<sup>rd</sup> respondent, who is the father of the minor child, was impleaded herein and despite service of notice, none appears for him before this Court. Since a divorce application is pending between the petitioner and the 3<sup>rd</sup> respondent, the*

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<sup>1</sup> 2014 SCC OnLine Ker 4040

<sup>2</sup> 2015 SCC OnLine Ker 16785



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*affidavit filed by the petitioner under Annexure 'G' of the Rules of 1980 may not be proper and the petitioner would be required to file an affidavit under Annexure 'C' before the Passport Issuing Authority. On such application being filed specifically showing the reason for consent being obtained; which happens to be the desertion of the petitioner and the minor child by the 3<sup>rd</sup> respondent; after issuing notice to the father of the minor child, the application has to be considered, as has been laid down in the aforesaid judgment. The petitioner shall accordingly file a proper affidavit along with a fresh application before the Passport Issuing Authority and the Passport Issuing Authority shall immediately issue notice to the father and finalise the proceedings at any rate within a period of one month from receipt of the application, along with the affidavit, as mentioned herein above.*

*The writ petition is disposed of.”*

8. In view of the above mentioned reasons, it is directed that the passport be issued to the petitioner within a period of thirty (30) days from the date of receipt of a copy of this order.
9. Liberty is, however, reserved in favour of the petitioner's father to seek revival of the petition, in case, he has any objection in the matter.
10. With these observations and liberty, the instant petition stands disposed of.

**(PURUSHAINDRA KUMAR KAURAV)**  
**JUDGE**

**MAY 21, 2026**

*Nc*