

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

DATE OF DECISION: APRIL 07, 2015

Maanvinder Singh

.....Petitioner

VERSUS

State of Punjab and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Ashok Giri, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of counsel for the petitioner that the petitioner had applied for student visa to New Zealand. For the said purpose, a police clearance certificate was to be presented. An FIR No.80 dated 01.07.2014 was registered at Police Station Nurpur Bedi, District Rupnagar against 13 accused persons alongwith 10/15 unidentified boys. The name of the petitioner figured in the said FIR. Upon investigation, the petitioner was found to be innocent and the said fact found mention in the communication dated 14.02.2015 (Annexure P-3) written by the Senior Superintendent of Police, Rupnagar. However, after declaring the petitioner innocent in the FIR, it was mentioned in the said communication that the matter is still under investigation. On this ground, the petitioner was denied the student visa vide communication dated 23.02.2015 (Annexure P-4).

On completion of investigation, challan dated 09.03.2015 (Annexure P-5) under Section 173 Cr.P.C. has been presented in the FIR, wherein the petitioner has been not nominated as an accused and has been

placed in Column No.2, finding him to be innocent. Thereafter, the petitioner has submitted another representation dated 11.03.2015 (Annexure P-6) to the Senior Superintendent of Police, Rupnagar, for issuance of a fresh police clearance certificate to him to enable him to again apply to the Immigration Authority for issuance of a student visa. The said representation of the petitioner is still pending with the Senior Superintendent of Police, Rupnagar-respondent No.2. Counsel contends that the petitioner may lose his chance for further study in New Zealand if the matter is delayed with regard to issuance of the police clearance certificate and an irreparable loss would be caused to him. He, therefore, prays that a direction may be issued to the Senior Superintendent of Police, Rupnagar-respondent No.2 to consider and decide the representation dated 11.03.2015 (Annexure P-6) as moved by the petitioner at an early date.

In the light of the submissions made by counsel for the petitioner, the present petition is disposed of with a direction to the Senior Superintendent of Police, Rupnagar-respondent No.2 to consider and decide the representation dated 11.03.2015 (Annexure P-6) as moved by the petitioner by passing a speaking order within a period of one week from the date of receipt of certified copy of the order and take appropriate steps in accordance with law forthwith. Decision so taken be conveyed to the petitioner.

Copy of the order be given *dasti* to counsel for the petitioner under the signatures of Special Secretary of this Court.

April 07, 2015
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE