

In the High Court of Punjab and Haryana at Chandigarh.

**CWP No. 24303 of 2015
Decided on 29.2.2016**

Gurnam Singh Dhillon

--Petitioner

Vs.

Union of India and others

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr. D.S.Sandhu, Advocate, for the petitioner

Mr. Indresh Goel, Advocate, for respondent No.1.

Mr.V. Ramswaroop, Addl.A..G, Punjab

Rakesh Kumar Jain,J: (Oral)

Reply filed on behalf of respondent No.3 in Court today is taken on record.

The petitioner has prayed for a writ in the nature of mandamus, seeking a direction to the respondents to issue passport to him.

Earlier, the respondents had taken a stand that since there is a criminal case against the petitioner, therefore, his passport cannot be issued to him, but now reply has been filed by D.S.P, Sub Division, Kapurthala, on behalf of respondent No.3 in which he has conceded that it has been wrongly mentioned that FIR No.37 dated 27.2.2004 under Sections

302/307/326/450/382/379/148/149 IPC, registered at Police Station, City Kapurthala, was pending. Since there is no case pending against the petitioner, learned counsel for Union of India has submitted that application of the petitioner shall be considered in writing by the respondents and appropriate order would be passed.

Consequently, the present petition is disposed of with a direction to respondent No.2 to consider the application of the petitioner for grant of passport. Since there is no obstacle insofar as the pendency of criminal case is concerned, the passport may be issued to the petitioner within a period of one month from the date of producing certified copy of this order.

29.2.2016
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(Rakesh Kumar Jain)
Judge