

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CWP No.4267 of 2016 (O&M)
Date of decision: September 04, 2017

Lakhwinder Singh

...Petitioner

Versus

Government of India & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. A.S. Gill, Advocate for the petitioner.

Mr. Indresh Goel, Advocate for respondents No.1 to 3.

Mr. Aditya Sharda, AAG, Punjab for respondents No.4 to 6.

Rajan Gupta, J.(oral)

Petitioner seeks a writ in the nature of mandamus to direct the respondents to issue a passport to him. Vide order dated 24.5.2017, State was directed to be impleaded as a party to the petition in order to get a police verification report from Kapurthala and Jalandhar.

Learned State counsel has filed a status report by way of affidavit of Satinder Kumar, Assistant Commissioner of Police, Central, Jalandhar today in court. He has referred to paras 2 and 3 thereof, which read as under:-

“2. That after completion of investigation qua Ramesh Chander and Balvir Singh final report under section 173 Cr.P.C. was presented in the concerned court on dated 29.7.2009 and they were acquitted by the court of Sh. Kewal Krishan, Ld. CJM, Jalandhar, vide order dated 21.9.2015.

3. That during the course of investigation then investigating officer of the present case recorded the statement of Piara Singh s/o Sewa Singh father of petitioner who stated that Lakhwinder Singh

had already gone to Italy on passport bearing no.E4393520 dated 07.4.2003 since more than 4 years ago and after recording the statement of said Piara Singh. It was evident that petitioner was wrongly named in the present FIR as such no further proceedings were initiated against the petitioner.”

Mr. Goel, learned counsel appearing for Union of India submits that matter shall be reconsidered by the passport authority in view of above.

In view of statement made by learned counsel for Union of India, no further direction is necessary. The writ petition is disposed of. The passport authority shall consider the case of the petitioner expeditiously, in any case not later than two months.

(RAJAN GUPTA)
JUDGE

September 04, 2017
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No