

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

(111)

CWP-5301-2017

Decided on: March 16, 2017.

Hargurpal Singh

.... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. G.B.S. Gill, Advocate, for the petitioner.

M.M.S. BEDI, J (ORAL)

Through instant petition under Articles 226 and 227 of the Constitution of India, petitioner seeks a writ in the nature of mandamus directing the Senior Superintendent of Police, Bathinda-respondent No.2 to issue Police Clearance Certificate against the application submitted by him vide receipt No.4215 dated 20.01.2017.

Petitioner claims that he along with his sister had been arrayed as accused in FIR No.71 dated 21.11.2015 but having been found innocent, a clean chit has been given to the petitioner.

I have considered the contention of learned counsel for the petitioner and I am of the opinion that the writ petition is pre-mature as no authority has refused to issue Police Clearance Certificate on the basis of facts and circumstances and a period of even one month has not elapsed after submission of the application.

Learned counsel for the petitioner relies upon precedent in CWP-24384-2016 in which a direction had been given to the police authorities to issue Police Clearance Certificate within a period of fifteen days.

No doubt, a direction can always be given but the writ petition is pre-mature as till date neither the petitioner has approached the Senior Superintendent of Police, Bathinda for expeditious disposal of his application nor his application has been dismissed. Period of one month has not elapsed after he submitted application Annexure P-3.

The writ petition is dismissed expecting that the application of the petitioner for Police Clearance Certificate would be decided expeditiously. In case, it is not decided within reasonable time, it will be open to the petitioner to approach the said authority or this Court, if advised so.

(M.M.S. BEDI)
JUDGE

March 16, 2017
harsha

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No