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

+ **W.P.(C) 6660/2017**

KANWALJIT SINGH

..... Petitioner

Through: Mr Amit Saxena with Mr Geetanshu
Rustogi, Advocates.

versus

STATE (THR CBI) AND ANR

..... Respondents

Through: Mr Anupam S. Sharma, Spl. PP for
CBI.

Mr Rajesh Gogna, CGSC for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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04.08.2017

CM No. 27689/2017

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioner has filed the present petition *inter alia* seeking an order directing the respondents to release the petitioner's original passport (bearing No. Z-2353628 along with old passport no. E-0733951). The petitioner's passport was seized on 03.03.2014 by respondent no.1/Central Bureau of Investigation (CBI). The CBI had thereafter deposited the said passport with respondent no.2 (Regional Passport Officer). Concededly, no proceedings for cancellation of the passport have been initiated by the concerned passport authority as yet.

4. The learned counsel for the petitioner has drawn the attention of this

Court to an order dated 19.05.2017 passed by a Coordinate Bench of this Court in ***Mohan Lal Sehajpal v. State (Through CBI) and Anr.: W.P.(C) 4373/2017*** wherein on similar facts this Court had disposed of the petition by directing the concerned passport authority to take decision in terms of Section 10 of the Passport Acts, 1967 within a specified period.

5. The learned counsel appearing for the respondents states that it is not necessary that in each case, the passport authority would commence proceedings for cancellation of the passport and it is always open for the passport authority to return the passport without commencing any such proceedings.

6. The aforesaid submission is merited and the present petition is disposed of by directing the passport authority to either return the passport or initiate action under the Passport Acts, 1967 in accordance with law. In the event the passport authority decides not to initiate any action, the passport shall be return within a period of two weeks from today. In the event the passport authority decides to initiate any action under Section 10 of the Passport Acts, 1967, it may do so and complete the proceedings within a period of twelve weeks from today after giving due opportunity to the petitioner to be heard. Respondent no.1 is also entitled to give its comments to the passport authority.

VIBHU BAKHRU, J

AUGUST 04, 2017/RK