

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

CWP-23433-2017 (O&M)

Date of Decision: 26.09.2018.

Gurnam Singh

... Petitioner

Versus

Union of India and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Sudhir Rana, Advocate,
for the petitioner.

Ms. Monica Chhiber, Sr. DAG, Punjab
assisted by ASI Baldev Raj.

Mr. Aditya Sanghi, Advocate,
for respondent Nos. 1 & 3.

JITENDRA CHAUHAN.J.(ORAL)

Learned counsel for respondent Nos. 1 and 3 states that he adopts reply filed on behalf of respondent No.3 for respondent No.1 as well.

Learned counsel for the petitioner states that the petitioner has not been issued passport on account of registration of FIR No. 132 dated 06.10.2015 against the petitioner under Sections 353, 186, 506 and 148 read with Section 149 IPC at Police Station Balachaur despite the fact that cancellation report has been prepared thrice and filed in the Court. It is further submitted that the petitioner remained under the *bonafide* belief that he is no longer an accused in the FIR accordingly, particulars of the FIR could not be furnished.

The intended purpose of the visit has been stated to be the marriage of his daughter which was slated to be solemnized on 25.09.2018.

Considering the fact that the marriage has been solemnized, the prime purpose of going abroad partially stands frustrated however, taking into consideration the fact that daughter of the petitioner has recently married, the daughter cannot be deprived of blessing of the father, repeated cancellation reports have been filed; the petitioner is not involved in any other FIR and; he has not misused the concession of bail, the petitioner needs to be issued passport.

In view of above, the respondents are directed to consider the application of the petitioner without raising the issue of the FIR, if the petitioner is found to be eligible for issuance of the passport in all other respects. If he is found eligible, the passport be issued initially for a period of six months to meet the exigency of the situation in the light of notification dated 25.08.1993 issued by Government of India, Ministry of External Affairs.

Disposed of.

26.09.2018.
SN

(JITENDRA CHAUHAN)
JUDGE

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