

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

**CWP-4133-2019 (O&M)
Date of Decision: 26.03.2019**

Rajbir Singh

... Petitioner

Versus

State of Punjab & others

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. G.S. Chahal, Advocate for the petitioner.

Mr. Sahil Sharma, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Learned State counsel has filed in Court today a status report by way of an affidavit of Sh. Sarbjit Singh, PPS, Assistant Commissioner of Police, North, Amritsar City. The same is taken on record and a copy has been furnished to counsel opposite.

Petitioner seeks a mandamus for directing the respondent/ authorities to return his passport.

Petitioner is one of the accused in FIR No.6, registered under Section 420 read with Section 120-B IPC at Police Station Airport, Amritsar.

In the status report filed in Court today, it has been submitted that an inquiry in the matter has been conducted and it has been concluded that the petitioner has been cheated by a travel agent, namely, Gurmeet Singh and Sandeep Singh Sandhu who got a fake Visa pasted on the original passport of the petitioner. Inquiry report furnished by the Additional Deputy Commissioner of Police, City-II, Amritsar has been approved by the

Commissioner of Police, Amritsar. Travel agents Gurmeet Singh and Sandeep Singh Sandhu have been nominated as co-accused and offence under Section 13 of the Punjab Prevention of Human Smuggling Act has been added vide DDR No.21, dated 14.02.2018. Furthermore, as per status report, the final report/challan under Section 173 Cr.P.C. against Sandeep Singh Sandhu and Gurmeet Singh has been prepared on 18.03.2019 by the SHO, Police Station Airport, Amritsar.

Learned State counsel upon instructions from Sub Inspector Sukhwinder Singh, Police Station Airport, Amritsar states that the final investigation report/challan would be submitted before the Court of Illaqa Magistrate concerned shortly and in any case within a period of four weeks from today.

Statement is accepted.

In view of the categoric stand taken in the status report, no further directions are required to be passed in the instant petition.

The same is disposed of.

Suffice it to observe that in the eventuality of the final investigation report/challan being accepted by the competent Court, it would be open for the petitioner to move an appropriate application seeking release of his passport.

26.03.2019

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |