

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

CWP-30710-2018

Date of decision: 6.9.2019

Jatinder Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.Deepak Arora, Advocate for the petitioner

Mr.Ajay Kalra, Central Government Counsel
for respondent Nos. 1 and 2

Mrs.Anju Arora, Addl.AG, Punjab
for respondent Nos. 3 and 4

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for issuance of direction to respondent Nos. 1 and 2 to issue the passport of the petitioner, which is not being released due to the registration of FIR No.17 dated 20.3.2008, under Sections 380, 427, 506 IPC at Police Station Ghuman Kalan, Gurdaspur against the petitioner.

Reply has been filed on behalf of respondent Nos. 1 and 2 in the Court today. The same is taken on record. Copy thereof has been supplied to the opposite counsel.

Learned counsel for respondent Nos. 1 and 2 submits that the petitioner preferred the application for passport on 1.9.2010 but thereafter, he did not pursue the matter. The application of the petitioner

could not be processed as he did not apply under the new Rules i.e. Passport Application (Facilitation and Processing) Rules, 2010 (for short 'Rules of 2010'). He further states that in case, fresh application is submitted by the petitioner as per the Rules of 2010, the same will be processed by the authorities as per law.

Learned State counsel submits that as per the reply filed by respondent No.3, cancellation report in the FIR case has already been filed, however, the same has not been accepted so far. She further states that State has no objection, in case the passport is issued to the petitioner.

In this view of the matter, without adverting to the merits of the case, respondent No. 2 is directed that in case the petitioner makes a fresh application for passport as per the Rules of 2010, the needful be done as per law expeditiously preferably within 45 days from the date of receipt of the same.

Disposed of accordingly.

6.9.2019
gsv

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No