

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

CWP No. 5312 of 2018 (O&M).

Date of Decision: 08.02.2019.

Papalpreet Singh

... Petitioner

Versus

Union of India and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. Tarundeep Kumar, Advocate for
Mr. D.S. Pheruman, Advocate,
for the petitioner.

Ms. Sheenu Sura, Advocate,
for respondent Nos. 1 & 2.

Mr. Vikas Mohan Gupta, Addl. AG Punjab.

JITENDRA CHAUHAN.J.(ORAL)
CM-7891-CWP-2018

The application is allowed as prayed for. Reply filed on behalf of respondent Nos. 1 & 2 is taken on record subject to all just exceptions.

Main case

The petitioner seeks issuance of a writ in the nature of mandamus directing the respondents to issue passport to the petitioner.

As per the reply filed on behalf of the respondent Nos. 3 & 4, the petitioner stands acquitted in FIR No.101 dated 24.10.2009 registered under Section 420 IPC at Police Station Sadar, Batala, District Gurdaspur vide judgment dated 07.11.2014 whereas, cancellation report has been filed in FIR No.151 dated 12.11.2015

registered under Sections 124-A, 153-A, 115, 117 and 120-B IPC at Police Station Chatiwind, District Amritsar (Rural) and the petitioner at present is not required in any FIR. No criminal proceedings are pending against him. However, final view on the cancellation report filed by the State has not been taken by the competent Court of jurisdiction so far. This information has already been supplied to respondent No.2.

In the circumstances, respondent No.2 is directed to issue passport if the petitioner fulfils all other conditions. However, the petitioner shall not use the passport if issued without prior permission of the competent Court in aforesaid FIR No.151 dated 12.11.2015.

Disposed of.

08.02.2019.
SN

(JITENDRA CHAUHAN)
JUDGE

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