

Civil Writ Petition No. 4152 of 2020

Date of Decision: February 14, 2020

Parminder Singh

....petitioner

Versus

State of Punjab and others

....respondents

CORAM: HON'BLE MRS. JUSTICE LISA GILLPresent: Mr. Manoj K. Sharma, Advocate
for the petitioner.

Lisa Gill, J.

This writ petition has been filed challenging order dated 14.11.2019 (Annexure P8) whereby the petitioner's passport has been impounded due to pendency of FIR No. 26 dated 10.11.2018 registered under Sections 406, 498A IPC at Police Station NRI, District SAS Nagar. It is submitted that the passport was issued to the petitioner on 24.12.2014. The FIR in question has been registered due to a criminal dispute. It is further submitted that the petitioner has filed CRM-M-21158 of 2019 seeking quashing of the abovesaid FIR, in which notice of motion has been issued and it has been directed that no coercive methods be adopted against the petitioner. The matter is stated to be pending for 25.02.2020. It is argued that impounding of the petitioner's passport in such a situation is unjustified.

Heard, learned counsel for the petitioner.

Learned counsel for the petitioner is unable to deny that order dated 14.11.2019 (Annexure P8) is an appealable order in terms of Section 11 of the Passports Act, 1967. The petitioner clearly has an alternate efficacious remedy. No ground for interference is made out at this stage.

The petitioner is at liberty to avail the remedy of filing an appeal in accordance with law. In case, an appeal is filed within two weeks, the same be disposed of expeditiously by the learned Appellate Authority. The petitioner is at liberty to raise all the pleas in this writ petition as well any other as may be available to him, before the said appellate Authority.

Present petition is disposed of, accordingly. Needless to say, there is no expression of any opinion on the merits or otherwise of the case.

(Lisa Gill)
Judge

February 14, 2020
rts

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