

CWP No. 8318 of 2019

Date of Decision: March 04, 2020

Lakhvir Singh

.....Petitioner

versus

Union of India and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Surinder Thakur, Advocate
for the petitioner

Mr. Vijay Kumar Chaudhary, Advocate
for respondents No. 1 and 2

Sudhir Mittal, J. (Oral)

The petitioner is a valid passport holder. The same is valid upto 27.06.2020. On 08.01.2019, an application for renewal was filed. The petitioner was directed to appear on 21.01.2019 for completion of formalities. Thereafter, the case was referred for police verification and a report was received that FIR No. 247 dated 21.09.2014 registered at Police Station Tanda, District Hoshiarpur under Sections 420, 468, 479 IPC was pending against the petitioner. Consequently, request for renewal has been rejected.

Learned counsel for the petitioner submits that after investigation of the aforementioned case, the police has submitted an untraced report. Although, the said untraced report has not been accepted by the trial Court but this fact would not disentitle to the petitioner from renewal of his passport. Mere pendency of a criminal case is not sufficient to reject the request for renewal of passport. Reliance is placed upon judgment dated 28.01.2016 passed in CWP No. 14471 of

2014 titled as *Daljit Singh vs. Union of India and another*.

Learned counsel for the respondents admits the aforementioned legal proposition.

Thus, the writ petition is allowed. Respondent No. 2 is directed to consider File No. JA1071063355817 dated 18.01.2019 afresh and pass a speaking order thereupon within four weeks from the date of receipt of certified copy of this order.

March 04, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No