

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-39143-2020 (O&M)

Date of Decision:- 27.11.2020

Prabhjot Singh Gill

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Petitioner in person.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner, who is appearing in person has approached this Court seeking issuance of certain directions mainly pertaining to issuance of a Passport to him. An additional prayer has also been made for quashing of FIR No. 160, dated 27.9.2018, Police Station Sadar, Sri Muktsar Sahib, under Sections 353, 186 and 506 IPC which stands registered against the petitioner.
2. A perusal of the FIR would show that there are allegations against the petitioner to the effect that he visited the Office of CPRC and started arguing with the staff without any reason and refrained them from proceeding with their official work. It is alleged that the petitioner

stated that he was not happy with the functioning of the Government of Punjab and started arguing with the officials present and also used foul language and mishandled some of the government documents lying there and also tried to take photographs and a video of the documents lying in the office. When the officials present there tried to restrain the petitioner, the petitioner is alleged to have threatened them and is also alleged to have used abusive language. It is alleged that the petitioner is basically into black-mailing officials and used to make complaint against the senior officials.

3. Having perused the FIR, it may not be possible at this stage for this Court to observe that the allegations levelled herein are false. Since the allegations *prima facie* would constituted some offences, the matter is required to be investigated by the police. As such, this Court does not find any ground for quashing of the FIR at this stage.
4. As regards the second prayer made by the petitioner i.e. pertaining to issuance of Passport to him, this Court is of the opinion that issuance of such like direction would not fall within the scope of the inherent powers under Section 482 Cr.P.C., which pertains to making such orders as may be necessary to give effect to any order passed under Cr.P.C. or to prevent abuse of process of law or to secure the ends of justice. As such, no directions in exercise of powers under Section 482 Cr.P.C. can be issued for the purpose of a matter pertaining to issuance of Passport. The petition, as such, is sans merit and is dismissed.

5. It is however, clarified that the petitioner would be at liberty to have recourse to any other alternate efficacious remedy as may be available to him especially for the purpose of issuance of passport, including filing of a Civil Writ Petition, if so advised.

November 27, 2020

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No