

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

CWP-399-2020.

Date of Decision: January 16, 2020

KETAN WALIA

..... Petitioner(s)

Versus

UNION OF INDIA AND ANOTHER

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Karan Nehra, Advocate and
Ms. Matisha Bansal, Advocate
for the petitioner.

Ms. Amrita Singh, Advocate
for the respondents.

LISA GILL, J.

This petition has been filed for issuance of a direction to the respondents to accept the petitioner's application for renewal of his passport manually, because as per the available format for applying online, the petitioner is unable to bring to the notice of the passport authorities that an FIR No. 58 dated 24.04.2019 under Sections 323, 406, 498-A, 506 IPC, P.S. Women Police Station Panchkula stands registered against him. This is so for the reason that as per the format, the petitioner is to give details as to whether he has ever been charged with criminal proceedings or any arrest warrant or summon pending before any Court in India. It is submitted that charge in the said FIR has not been framed till date, therefore, the petitioner is unable to submit his application for renewal of his passport online.

Ms. Amrita Singh, Advocate had been directed on 09.01.2020 to seek instructions in this regard. She submits that as per the email/information received by her today itself, from Mr. Amit Kumar Rawat, Deputy Passport Officer, Regional Passport Office, Chandigarh, the petitioner can proceed to submit his application online and in the column regarding the criminal proceedings, he can click on the negative and subsequently proceed to give the details of registration of FIR in which charge-sheet has not been presented. The petitioner, it is submitted, should bring to the notice of the authorities at the time of his personal appearance, the factum of registration of FIR alongwith the specific details, alongwith a copy of the FIR and an affidavit of the petitioner to this effect as well as an undertaking that he would give the latest status about the proceedings in the FIR as and when the charge-sheet is presented. It is further submitted that with/subject to the approval of the competent authority a short validity passport may be issued and needless to say, in case proceedings are started against the petitioner, permission of the concerned Court is required to visit abroad till the final verdict.

In view of the statement made by learned counsel for the respondents, no further orders are called for in this writ petition. It is open to the petitioner to proceed for submitting his application for renewal of passport online as stated above by learned counsel for the respondents, with the submission of necessary details and the undertaking subsequently as mentioned above.

Petition is disposed of accordingly.

16.01.2020
Sunil

(LISA GILL)
JUDGE