

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-39079 of 2021
Date of Decision : 21.09.2021

Davinder Singh @ Bintu

..Petitioner

Versus

State of Punjab and others

...Respondents

(Through video conferencing)

CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*

Present: Mr. Amandeep Singh Rai, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that the petitioner was involved in FIR No.31 dated 20.03.2015 registered under Sections 419, 420, 467, 468, 471 and 120-B of the IPC and Section 12 of the Passport Act, 1967 at Police Station Raikot, District Ludhiana. Learned counsel for the petitioner argues that though, after the investigation by the police, the petitioner was found innocent but, the cancellation report has not been submitted so far. Learned counsel for the petitioner submits that the petitioner intends to visit abroad and has applied for the police clearance certificate in February, 2021 but, even after expiry of approximately seven months, he has not been informed about the outcome of the said application.

Learned counsel for the petitioner further submits that co-

accused of the petitioner, who has already been exonerated by the Investigating agency also filed an application for getting the police clearance certificate and as nothing was being done, he had approached this Court by way of filing CRM-M-36805 of 2021, wherein, a direction has been issued by this Court to the police authorities to decide the representation filed by the said co-accused.

Learned counsel for the petitioner further submits that the petitioner has already submitted a representation dated 22.03.2021 (Annexure P/4) to the respondent No.2/Senior Superintendent of Police, (Rural) Ludhiana, which is still pending consideration with the respondent No.2 and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the said representation by passing an appropriate speaking order.

Notice of motion.

Mr. Sandeep Singh Deol, DAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of respondent-State and states that the representation dated 22.03.2021 (Annexure P/4) submitted to the respondent No.2/Senior Superintendent of Police, (Rural) Ludhiana will be decided within a period of eight weeks from the date of receipt of a copy of this order.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner in representation dated 22.03.2021 (Annexure P/4), respondent No.2 is directed to decide the representation dated 22.03.2021 (Annexure P/4) submitted by the petitioner by passing a speaking order within a period of eight weeks from the date of

receipt of a copy of this order.

Present writ petition stands disposed of.

September 21, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

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