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

**CWP No.21239 of 2020**

**Date of decision: February 15, 2021**

Sajid Waseem

.....Petitioner

Versus

Union of India and another

.....Respondents

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

**Present:-** Petitioner himself through Video-Conference.

Ms. Shweta Nahata, Advocate for the respondents.

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**MAHABIR SINGH SINDHU, J**

Present writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the respondents to re-issue passport to the petitioner.

In response to the notice of motion issued by this Court, short reply dated 18.01.2021 of Surendra Kumar Adhana son of Shri Prem Narain, Regional Passport Officer has already been filed and Para Nos.6 & 7 of the same read as under: -

*“6. That it is also important to mention here that the petitioner has not furnished any explanation/ clarification with regard to the concealment of the above criminal cases from the respondents. Therefore, the application for the re-issuance of passport to the petitioner, was kept pending for furnishing Hon'ble concerned Court permission where his case is pending. The petitioner had been advised as per*

*GSR 570 (E) dated 25.08.1993 that his application can be processed if the petitioner gets permission from the concerned court allowing him to travel abroad or permitting him to re-issue his passport or after submission of the judgment of acquittal in the above mentioned case.*

*7. That it is further stated that GSR 570 (E) dated 25.08.1993 was introduced to give relief to such applicants against whom criminal proceedings are pending before any court of law in India. The applicant who may need to travel for some urgent work/ business would be issued a short validity passport for one year validity or for the period specified by the concerned Hon'ble Court provided the applicants gives an Undertaking under GSR 570 (E) dated 25.08.1993 and also furnishes an order from the concerned Hon'ble Court. To obey the rule of law laid down under GSR 570 (E) dated 25.08.1993, NOC/ Court Judgment is sought from the applicant against whom criminal proceedings are pending before the Court anywhere in India, so that the applicant may not leave the country without prior permission of the Hon'ble Court.”*

Perusal of Para-6 extracted hereinabove apparently makes it clear that in view of notification dated 25.08.1993, application of the petitioner would be processed in case, he obtains necessary permission from the Court, where the criminal matter is pending.

In view of the above factual position, learned counsel for the petitioner wishes to withdraw the present writ petition with liberty to take recourse to the remedy available before the Court concerned.

Dismissed as withdrawn with liberty aforesaid.

Needless to say that if necessary application is filed, the

same shall be considered and decided in accordance with law, expeditiously, preferably within two weeks from the date of its presentation.

**(MAHABIR SINGH SINDHU)**  
**JUDGE**

**February 15, 2021**  
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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No