

CWP-4812-2022

Date of Decision: 10.03.2022

Des Raj Rattu

....Petitioner

VS

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Bhupinder Banga, Advocate
for the petitioner

Mr. Amit Sharma, Advocate
for respondents No. 1 and 3

SUDHIR MITTAL, J. (Oral)

The passport of the petitioner has been impounded vide order dated 19.02.2019 (allegedly copy of the order not provided). This order is under challenge in this writ petition on the ground that the petitioner has not been convicted as yet.

A perusal of Section 10(3)(e) of the Passports Act, 1967 shows that even if a criminal trial is pending in a Court in India the passport can be impounded. Admittedly, criminal trial is pending and, thus, the passport authorities were competent to impound the passport.

Learned counsel for the petitioner has submitted that the FIR has been challenged in this Court and notice of motion has been issued.

The argument is meaningless. Unless and until the FIR is finally quashed, entertainment of a quashing petition would make no difference.

The writ petition has no merit and is dismissed.

10.03.2022

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(SUDHIR MITTAL)
JUDGE