

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

CWP No.16371 of 2020

Date of Decision: 01.04.2022

Surinderpal Singh

..... Petitioner

versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Sarbjit Singh, Advocate
for the petitioner.

Mr. Karan Kumar Jund, Advocate
for respondents No.1 to 3.

Ms. Harsimrat Rai, DAG, Punjab.

SUDHIR MITTAL J. (ORAL)

The petitioner has applied for re-issuance of passport but since the application was not processed in accordance with law, he has approached this Court by way of this petition.

Pleadings are complete.

Learned counsel for the petitioner has argued that refusal to re-issue the passport applied for vide the application filed in the year 2020 is illegal. Adverse police verification report has not been perused properly by the passport authorities. The said report clearly states that FIR No.69 dated 08.05.2016 has been quashed and that in FIR No.171 dated 22.08.2017, the petitioner has been found innocent.

Learned counsel for respondents No.1 to 3 submits that the petitioner may have been declared innocent in FIR No.171 dated 22.08.2017 but the same is still pending and thus, refusal to re-issue the passport cannot be faulted.

The submission of learned counsel for respondents No.1 to 3 cannot be accepted. It is settled law that mere pendency of an FIR is no ground to refuse issuance/re-issuance of passport.

Thus, the writ petition is allowed. The passport authorities, concerned are directed to process the application for re-issuance of passport in accordance with law if there is no other legal impediment and the passport be re-issued within a period of four weeks from the date of receipt of certified copy of this order.

At this stage, learned counsel for respondents No.1 to 3 submits that the earlier application cannot be processed at this stage on account of technical difficulties and thus, the petitioner will have to file a fresh application.

Let a fresh application be filed by the petitioner within a period of seven days from today. Deposit of application fee is exempted.

(SUDHIR MITTAL)
JUDGE

01st April, 2022
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No