

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

205

CWP No.20761 of 2021

Date of Decision: 22.09.2022

Sarban Singh

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Vivek K. Thakur, Advocat, for the petitioner.

Ms. Amrita Singh, Advocate, for respondent No.1 and 2.

Ms. Ambika Bedi, AAG, Punjab, for respondent Nos.3 to5.

VIKAS SURI, J. (Oral)

Learned counsel for respondent Nos.1 and 2 submits that pursuant to the communications dated 11.05.2021, 21.05.2021 and 28.05.2021 (Annexures P-2 to P-4), the petitioner has not contacted the passport authorities and on account of the same, the case file stands closed on 22.10.2021. Accordingly, the petitioner has to apply afresh and on doing so, the same would be considered in accordance with law.

Learned counsel for the petitioner is not in a position to dispute closure of the file on the fact that the same was on account of want of clarification/further information from the petitioner.

Learned counsel for the petitioner assertively submits that the petitioner has not been chargesheeted in the case FIR No.15 dated 30.01.2014 under Sections 323, 324, 34, 452 and 326 of the IPC registered at Police Station Sadar Kapurthala, District Kapurthala and as such no criminal proceedings are pending against the petitioner in terms of Section 6(2)(f) of the Passports Act, 1967.

Learned counsel would further submit that the aforesaid proposition of law is no longer *res integra* and stands settled by a coordinate Bench by the decision in ***Daler Singh vs. Union of India and others 2015 (8) RCR (Civil) 618*** and ***Sahib Jaskaran Singh vs. Union of India and others 2016, (2) RCR (Civil) 798***. The respondents are not in a position to dispute the aforesaid proposition of law and also submits that there is no contrary view to the same.

In view of the above noticed submissions, learned counsel for the petitioner seeks withdrawal of the petition, with liberty to apply afresh for issue of passport and also liberty to append the afore noticed judgments under the column for list of other documents in the passport application form, if so permissible in law.

Dismissed as withdrawn with liberty as aforesaid.

September 22, 2022

vcgarg

**(VIKAS SURI)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

No