

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

212

CWP No.21985 of 2022

Date of Decision: 08.12.2022

Deepak Madan

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Om Malhan, Advocate, for
Mr. Nakul Sharma, Advocate, for the petitioner.
Ms. Shweta Nahata, Advocate, for the respondents.

VIKAS SURI, J. (Oral)

The grievance raised by the petitioner in this petition preferred under Article 226/227 of the Constitution of India is that he had applied for re-issue of passport on 27.11.2021, as the one issued earlier was to expire on 18.12.2021 and the same is held up on account of registration of FIR No.9 dated 31.01.2021 under Sections 13-A/3/67 of the Public Gambling Act, 1867, Section 61 of Punjab Excise Act, 1914, Sections 3, 4, 5 of Immoral Traffic Prevention Act, 1956, Sections 420/120-B IPC, registered at Police Station Banur, District Patiala, in which he has been implicated.

It is contended that it is well settled that a Court takes cognizance of the offence only when charge is framed against the accused. In the case at hand, though the challan has been presented but the petitioner has not been charged as yet.

Upon notice of motion, learned counsel for the respondents had put in appearance and sought time to obtain instructions and to file written statement.

On 28.10.2022, the following order was passed:-

“Ms. Shweta Nahata, Senior Panel Counsel, puts in appearance on behalf of the respondents and submits on instructions from respondent No.3 that if the petitioner visits

the Regional Passport Office in person with all relevant documents, the grievance raised by the petitioner is likely to be addressed in accordance with law.

Accordingly, it is sought that the petitioner may visit the office of the Regional Passport Officer, Regional Passport Office, Amritsar, Plot No.9, District Shopping Centre, Ranjit Avenue, Ajnala Road, Amritsar, on 31.10.2022 at 11.00 a.m.

Learned counsel for the petitioner accepts the submission made on behalf of the respondents and after seeking instructions from the petitioner, confirms that the petitioner would avail of the opportunity and visit the afore-noticed office on the date and time recorded in this order.

It is jointly prayed that the present matter be adjourned for some convenient date to enable the parties to apprise the Court of the outcome of the proposed visit.

On joint request, adjourned to 08.12.2022.”

Learned counsel for the petitioner submits that pursuant to the aforesaid order, grievance of the petitioner has been redressed and passport bearing No.W5594972 has been issued to him on 02.11.2022, which is valid up to 01.11.2032. He would submit that in view of the said subsequent development, no further orders are required to be passed in this petition and the same be disposed of accordingly.

Learned counsel for the respondents affirms the factum of issuance of passport to the petitioner and raises no objection to the petition being disposed of.

Disposed of as having been rendered infructuous.

(VIKAS SURI)
JUDGE

December 08, 2022
vcgarg

Whether speaking/reasoned:	Yes
Whether reportable:	No