

CRM-M-44483-2022

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

(105)

CRM-M-44483-2022
Date of Decision:-29.10.2022

Harshdeep Verma

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Swarn Tiwana, Advocate for the petitioner.

Mr. A.P.S. Tung, DAG, Punjab.

ALOK JAIN, J. (Oral)

The present petition has been filed seeking directions to respondent Nos.2 and 3 for release of the passport which was apprehended at the time of arrest of the petitioner in FIR No.08 dated 21.08.2020 under Sections 7, 7 (a), 8 of the Prevention of Corruption Act, 1988 and Sections 420,465, 467, 468, 471 and 120-B of IPC, registered at Police Station Vigilance Bureau, F.S.-I, Punjab at Mohali.

Counsel for the petitioner has contended that an application was moved for release of the passport on 21.04.2022 to which although reply/report has been filed by the State but the same has not yet been decided. He has further submitted that the learned Court has wrongly recorded that the reply to his application is still awaited in the order dated 30.08.2022 whereas, the reply was filed on 02.08.2022.

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Counsel for the petitioner has restricted his prayer only to the extent that the said application be decided by the Courts below. Counsel for the petitioner further submits that the ends of justice would be met, in case the Court below decides his application on the next date of hearing i.e. 01.11.2022. Although no cogent ground has been raised in the application filed by the petitioner, nonetheless the said application is pending before the Courts below. Therefore, this Court cannot go into the merits of the case at this stage.

Without commenting upon the merits of the case, the present petition is disposed of with a direction to the learned Court below to consider the application of the petitioner at the earliest on its own merits and the present order should not be taken as an expression on merits qua the application and the same be decided, in accordance with law, expeditiously and preferably within one month.

(ALOK JAIN)
JUDGE

October 29, 2022.

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Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No