

205 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.947 No. of 2023 (O&M)
Date of Decision:24.03.2023

Sandeep Singh

..... Petitioner

V/s.

Union of India and Others

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. Ankur Sharma, Advocate
for the respondent Nos.1 and 2.

Ms. Akshita Chauhan, DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article(s) 226/227 of the Constitution of India seeking a writ in the nature of *mandamus* directing the respondent No.2 to reissue the Passport to the petitioner, in view of the fresh application filed which is pending before the Passport authority.

A short reply dated 24.03.2023, by way of affidavit of Deputy Superintendent of Police, Sub Division Majitha, District Amritsar (Rural), is filed by learned State counsel, in Court today and the same is taken on record and a copy thereof has been supplied to the learned counsel for the petitioner. As per para 6 of the said reply, it is submitted that there is one FIR i.e. FIR No.01/2017 against the petitioner and is pending investigation.

Mr. Jaswal, appearing on behalf of the petitioner submitted that mere pendency of an FIR in which challan has not been submitted, cannot become a ground for denial of Passport to the petitioner in view of the judgments of this Court in “**Daler Singh Vs. Union of India and others**”, 2015(8) RCR (Civil) 618

2016(2) RCR (Criminal) 798.

At this stage, Mr. Ankur Sharma, appearing on behalf of the Passport authority has submitted that since now status report has been filed by the respondent-State of Punjab, the application of the petitioner is now being processed expeditiously in the light of the aforesaid status report filed by the respondent-State of Punjab.

In view of the aforesaid position and the stand taken by the learned counsel appearing on behalf of the Passport authority that the application of the petitioner is now being processed expeditiously, the present petition is being disposed of with direction to respondent Nos.1 and 2 to consider, process and finalize the application, if any, filed by the petitioner for grant of the Passport especially in the light of the status report which has been filed by the respondent-State and also in the light of the judgments of this Court in **Daler Singh Vs. Union of India and others**, (*supra*) and “***Sahib Jaskaran Singh Vs. Union of India and others***” (*supra*).

Let the entire exercise be completed within a period of two months from today.

24th March, 2023

Sonia Puri

(JASGUPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No