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

CWP-1490-2023

Date of Decision: 25.01.2023

Jaspreet Singh

..... Petitioner

Versus

Regional Passport Officer and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Rahul Soi, Advocate for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ, order or direction especially in the nature of mandamus directing the respondent No.1 to issue passport to the petitioner which he has applied by way of application dated 06.05.2022.

Learned counsel for the petitioner has submitted that more than eight months have elapsed and the Passport Authority has not even considered the application filed by the petitioner for issuance of passport. He further submitted that there is one FIR pending against the petitioner but till date the judicial Court has not taken cognizance with regard to the same and therefore, the petitioner is not hit by the bar contained under Section 6(2)(f) of the Passport Act.

At this stage, Ms. Neha Sharma, Advocate has caused appearance on behalf of respondents-UOI and has stated on instruction that the application of the petitioner for grant of passport is still pending and information is being sought from the concerned District Police with regard to the status of the FIR and other

factors.

I have heard the learned counsel for the parties.

The application of the petitioner is pending from more than seven months for grant of passport. As per the learned counsel for the petitioner, there is an FIR registered against the petitioner but the Court has not taken cognizance with regard to the same, and therefore, his case is not hit by the bar contained under the Passport Act for issuance of the passport. The Passport Authorities are under an obligation to seek the police verification at least within some time framework but in the present case, more than eight months have elapsed. Therefore, this Court is of the view that the present petition can be disposed of at this stage without observing anything on the merits of the case that the Passport Authority shall consider the application of the petitioner within a period of four weeks and in case any information is to be required from the petitioner then the Passport Authority may issue notice to the petitioner within a period one week from today and in the event of issuance of any such notice for seeking information, it shall be duty of the petitioner to supply all the requisite information to the Passport Authority within the next one week.

In the meantime, the Passport Authority may also seek any kind of information from the police as expeditiously as possible. After completing the entire process, the application for grant of passport filed by the petitioner shall be considered and decided by the Passport Authority strictly in accordance with law.

The present writ petition stands disposed of.

25.01.2023

Bhumika

1. Whether speaking/reasoned:
2. Whether reportable:

(JASGURPREET SINGH PURI)
JUDGE

Yes/No
Yes/No