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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-1253-2023(O&M)
Date of Decision: 23.01.2023

LOVEPREET SINGH

....Petitioner(s)

Versus

UNION OF INDIA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. R.S. Sangha, Advocate, for the petitioner.

Ms. Amrita Singh, Advocate, for the respondents.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India seeking a writ in the nature of Mandamus directing respondent Nos. 3 and 4 to submit the correct police verification report of the case in the enquiry of the passport before respondent No.2 and also to direct respondent No.2 to issue fresh passport to the petitioner.

Learned counsel for the petitioner has submitted that the petitioner was earlier involved in an FIR bearing No.368 dated 17.12.2017, under Sections 307, 324, 323, 341, 148 and 149 IPC, registered at Police Station City Ferozepur but in that FIR the petitioner has already been declared as innocent and no challan has been presented qua the petitioner and therefore, the Passport Authorities could not have declined the issuance of passport to the petitioner nor any order has been passed by

them. He submitted that a show-cause notice was given to the petitioner seeking clarification with regard to the factual position. He submitted that the petitioner will give the clarification/reply to the show-notice within a period of two weeks from today alongwith all the requisite documents. He submitted that he will be satisfied in case the present petition is disposed of with a direction to the Passport Authorities to consider the reply to the show-cause notice promptly and do the needful within the time framework.

Ms. Amrita Singh, Advocate appearing on behalf of respondent No.2 -Passport Authorities has stated that in case the petitioner files reply/clarification within a period of two weeks from today, then the same shall be considered in accordance with law and in case, he is entitled for grant of passport, then the same shall be issued to him within a period of three weeks and in case, he is not found to be entitled for any reason, then a speaking order in that regard shall be passed by the concerned appropriate authority within a period of three weeks.

In view of the aforesaid position, the present petition is disposed of.

Liberty is granted to the petitioner to file a reply/clarification alongwith all the requisite documents to the Regional Passport Authority, Amritsar within a period of two weeks from today. In the event of his doing so, the concerned Regional Passport Authority shall consider the request of the petitioner for issuance of passport in accordance with law.

Needless to say that in case the petitioner is found to be

entitled for the issuance of passport, then the same shall be issued to him within a period of three weeks thereafter and in case, he is not found to be entitled or for any other reasons whatsoever, then the Regional Passport Authority shall pass a well-reasoned speaking order in accordance with law within a period of three weeks.

23.01.2023
rakesh

(JASGURPREET SINGH PURI)
JUDGE

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