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

CWP-2895-2022

Date of Decision:23.08.2023

SURJAN SINGH

..... Petitioner

Versus

UNION OF INDIA AND ORS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Rahul Dev Singh, Advocate
for the petitioner.

Ms. Gehna Vaishnavi, Advocate
for the respondents No.1 and 2.

Mr. Deepanjay Sharma, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking direction to respondents to re-issue his passport.

2. The petitioner was issued passport No. H5086706 on 08.09.2009 which expired on 07.09.2019. The petitioner filed an application seeking re-issuance of passport.

3. An FIR No.24 dated 14.03.2016, under Sections 326, 324, 323 and 34 of IPC came to be registered against the petitioner. The police after completing investigation filed cancellation report, however, complainant filed protest petition. The petitioner has been summoned on the protest petition. The trial is pending before the Trial Court.

4. The Central Government in exercise of power conferred by

Section 22 of Passport Act, 1967 has issued notification No.570 dated 25.08.1993 whereby it has been provided that despite pendency of criminal proceedings, passport may be issued subject to permission granted by Trial Court.

5. On being confronted with aforesaid notification, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to approach Trial Court in terms of aforesaid notification.

6. Dismissed as withdrawn.

7. The petitioner is at liberty to approach Trial Court and on doing so, the Trial Court shall expeditiously decide his application in terms of aforesaid notification.

(JAGMOHAN BANSAL)
JUDGE

23.08.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>