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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-3015-2023

Date of Decision:23.08.2023

PARMINDER SINGH @ PAMMI

..... Petitioner

Versus

UNION OF INDIA AND ORS

..... Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. G.S. Madaan, Advocate
for the petitioner.

Ms. Neha Sharma, Advocate
for respondents No.1 to 3.

Mr. Deepanjay Sharma, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

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

2. The petitioner was issued passport No. J8171745 on 24.04.2012 which came to expire on 23.04.2022. The petitioner applied for re-issuance of passport, however, respondent has not issued passport on the ground that an FIR is pending against him.

3. An FIR No.18 dated 18.02.2021, under Sections 420 and 427 of IPC and Section 36(1) of Punjab Apartment and Property Regulation Act was registered against the petitioner. The petitioner vide order dated 29.09.2022 (Annexure P-9) passed by JMIC, Jalandhar has been granted permission to get his passport renewed.

4. Learned State counsel on instruction from ASI Sukhwinder

Singh submits that till date challan has not been presented in the aforesaid FIR and no other FIR is pending against the petitioner.

5. This Court vide order dated 14.07.2023 passed in ***Mohan Lal @ Mohna vs. Union of India and others, CWP No. 27167 of 2018*** has held that passport cannot be denied merely on the ground of pendency of FIR unless and until police report is presented and Trial Court has taken cognizance.

6. Faced with this, learned counsel for respondents No.1 to 3 submits that passport authority would pass an appropriate order within 6 weeks from today, after considering judgment of this Court.

7. In the wake of statement of learned counsel for respondents No.1 to 3, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

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