

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

213

CWP-3063-2023

Date of Decision : 20.07.2023

Satpal Singh

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Varun Girdhar, Advocate for
Mr. B.S.Randhawa, Advocate
for the petitioner.

Mr. Karan Kujmar Jund, Central Govt. Counsel
for respondents No.1, 2 and 4-UOI.

Ms. Deepali Puri, Addl.A.G., Punjab
for respondent No.3.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking directions to respondent No.2 to issue him passport.

2. Learned counsel for the petitioner *inter alia* contends that an FIR No.183 dated 02.11.2021 was registered against the petitioner, however, police after completing investigation has prepared cancellation report. Petitioner is entitled to passport in terms of instructions dated 10.10.2019 issued by the Central Government. The relevant extracts of the instructions dated 10.10.2019 are reproduced hereinbelow:-

“(vi) In case where the secondary police verification is also ‘adverse’, it may be examined whether the details brought out in the police report match the undertaking submitted by the applicant. It may be noted that mere filing of FIRs and cases under investigation do not come under the purview of Section 6 (2) (f) and that criminal proceedings and all connected cases would only be considered pending against an applicant if a case has been registered before any Court of law and the Court has taken cognizance of the same.”

3. Learned counsel for the respondents submit that file of the petitioner has already been closed, thus, he may be directed to file fresh application which would be considered and decided in the light of instructions dated 10.10.2019.

4. In view of statement of learned counsel for the respondents, the present petition stands disposed of with liberty to petitioner file fresh application. If application is filed within two weeks from today, the respondent shall pass an appropriate order within six weeks thereafter.

(JAGMOHAN BANSAL)
JUDGE

20.07.2023
anju

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No