

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

206

CWP-4115-2023

Date of Decision: 25.08.2023

Lal Singh

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Sharad Mehra, Advocate for the petitioner

Mr. Deepanjay Sharma, DAG, Punjab
(assisted by ASI Surjit Singh, P.S. Hathur)Ms. Neha Sharma, Advocate
for Union of India-respondent Nos.4 and 5

JAGMOHAN BANSAL, J. (Oral)

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

2. Mr. Sharad Mehra, learned counsel for the petitioner *inter alia* contends that petitioner was issued passport on 28.01.2013 which expired on 27.01.2023. The petitioner applied for re-issuance of the passport, however, the respondent has not re-issued passport on the ground of pendency of FIR. An FIR No.121 dated 31.10.2009 under Section 115 of Indian Penal Code, 1860 (for short 'IPC') was registered at Police Station Kot Ise Khan, District Moga against the petitioner, however, the petitioner has been acquitted vide judgment dated

21.02.2017 passed by Judicial Magistrate, 1st Class, Moga. Another FIR No.11 dated 31.01.2014 under Sections 420 & 34 of IPC was registered at Police Station Hathur against the petitioner. In the said FIR, the police filed cancellation report, however, learned Trial Court directed the Investigating Officer to conduct further investigation. The police after conducting further investigation has filed cancellation report.

3. Mr. Deepanjay Sharma, learned State counsel submits that it is factually correct that twice police has filed cancellation report.

4. In the wake of statement of learned State counsel, Ms. Neha Sharma, learned counsel for respondent Nos.4 and 5 submits that Passport Authority, considering judgment dated 14.07.2023 in ***Mohan Lal @ Mohna Versus Union of India and Others; CWP-27167-2018***, passed by this Court, would pass an appropriate order within 6 weeks from today.

5. Disposed of in aforesaid terms.

(JAGMOHAN BANSAL)
JUDGE

25.08.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>