

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

101

**CWP-3984 of 2023 (O&M)
Date of Decision:27.02.2023**

Kulbeer Singh

....Petitioner(s)

Versus

Union of India and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sunil K. Tandon, Advocate,
for the petitioner.

Mr. Indresh Goel, Sr. Panel Counsel
for respondents No.1 and 3.

JASGURPREET SINGH PURI, J. (Oral)

CM-3550-CWP-2023

For the reasons mentioned in the application, the same is allowed.

Main case

The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents No.1 to 3 to renew the passport of the brother of the petitioner, i.e. Sukhwinder Singh Sandhu.

Learned counsel for the petitioner submitted that although the brother of the petitioner has been declared as a proclaimed person in a Court in India, but he is also entitled for the grant of short duration passport or even a travel document so that he can even travel to India and appear before the Court.

He submitted that even otherwise also in the FIR which was against the brother of the petitioner a compromise has been effected between the parties and therefore in case brother of the petitioner is considered for the grant of short duration passport or a travel document then at least he can appear before the Court and the dispute between the parties can be resolved. He submitted that as of now he has only filed an application in the Passport Authorities, Portugal for grant of regular passport but now he may be granted liberty to file a separate application for grant of short duration passport or travel document in pursuance of Sections 4 and 7 of the Passport Act and necessary directions be issued to the respondents -Passport Authorities for considering and finalizing the same within a time bound framework.

I have heard the learned counsel for the parties.

The petitioner has now confined the scope of the present petition at this stage only to the extent of seeking a direction to the respondents that in the event of filing a separate application by the brother of the petitioner for grant of short duration passport or travel document in terms of Sections 4 and 7 of the Passport Act, then the same may be considered in a time bound manner and that his present petition may be permitted to be withdrawn at this stage.

This Court is of the view that the limited prayer of the petitioner is reasonable and justified. The petitioner is permitted to withdraw the present petition at this stage. The brother of the petitioner-Sukhwinder Singh Sandhu is granted liberty to file a separate application for grant of short duration passport or travel document in terms of the provisions of the Passport Act and the Rules made thereunder. In the event of filing of such an application, the concerned Passport Authorities, i.e. respondent No.3 shall coordinate with the Indian

Embassy at Portugal and thereafter consider and finalize the application of the brother of the petitioner strictly in accordance with law within a period of one month after the filing of the application.

Disposed of with the aforesaid limited directions.

(JASGURPREET SINGH PURI)
JUDGE

February 27, 2023

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