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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3975-2023 (O&M)
Date of Decision: 27.02.2023

JASKARAN SINGH

....Petitioner(s)

Versus

UNION OF INDIA AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Prateek Pandit, Advocate, for the petitioner.

Mr. Arvind Seth, Advocate, for the respondents.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India seeking a writ in the nature of *Mandamus* directing the respondents to renew/re-issue the passport to the petitioner.

Learned counsel for the petitioner has submitted that the petitioner had applied for renewal of passport to the Passport Authorities on 11.07.2022 since his previous passport was due to expire on 22.10.2022. He submitted that till date the passport has not been issued to the petitioner. He submitted that there was one FIR No. 38 dated 25.08.2022, under Sections 323, 452, 324, 427, 148 and 149 IPC, Police Station Rawalpindi, District Kapurthala which was falsely registered against the petitioner but in the said FIR no challan has been presented and no proceedings are pending in the Court and therefore, there was no

impediment for the respondent-Passport Authorities to have not issued the passport to the petitioner especially in view of the judgments of this Court in *Daler Singh Vs. Union of India and others* [2015(8) RCR (Civil) 618] and *Sahib Jaskaran Singh Versus Union of India and others* [CWP No.19551 of 2015].

At this stage, Mr. Arvind Seth, Advocate has appeared on behalf of the respondents and has submitted that in case the petitioner provides the status of the FIR by way of an affidavit to the Passport Authorities, then the same will be processed as expeditiously as possible.

I have heard the learned counsel for the parties.

The only issue involved in the present case is as to what was the effect of pendency of FIR which according to the learned counsel for the petitioner, he has been falsely implicated and no challan has been presented in that case. Be that as it may, the learned counsel appearing on behalf of the Passport Authorities has submitted that in case the petitioner provides the status of the FIR by way of an affidavit to the Passport Authorities, then the same will be processed as expeditiously as possible.

In view of the above, the present petition is disposed of with a direction to the Passport Authorities that in case the petitioner provides the status of the FIR by way of an affidavit and all the essential documents therein to the Passport Authorities within a period of two weeks from today, then Passport Authorities shall consider and finalize application of the petitioner for grant of passport within a period of next three weeks strictly in accordance with law.

Needless to say that in case the petitioner is found to be

entitled for the grant of passport, then the same shall be issued to him within next two weeks and in case he is found to be not entitled for the grant of passport for any reason under the law, then the Passport Authorities shall pass a well-reasoned speaking order in this regard which shall be communicated to the petitioner.

27.02.2023

(JASGURPREET SINGH PURI)

rakesh

JUDGE

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