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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-9448-2022

Date of Decision:11.10.2023

BALDEV SINGH CHUNGH

..... Petitioner

Versus

UNION OF INDIA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Tribhawan Singla, Advocate
for the petitioner.

Ms. Shweta Nahata, Central Govt. Counsel
for respondents No.1 and 2.

Mr. Deepanjay Sharma, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking setting aside of order 27.11.2019 (Annexure P-2) and further seeking direction to respondent to re-issue him passport.

2. The petitioner vide application dated 02.09.2019 applied for passport. The respondent has not issued passport on account of pendency of trial arising out of FIR No.0113 dated 08.12.2017, under Sections 431, 341, 283 and 188 of IPC registered at Police Station Bhadaur, District Barnala.

3. Learned State counsel submits that police report under Section 173 Cr.P.C. has already been filed. As per notification No.570 dated 25.08.1993 issued by Central Government, passport may be issued

despite pendency of criminal trial, however, subject to permission granted by trial Court. The petitioner has not approached trial Court.

4. Faced with this, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to approach trial Court in terms of aforesaid notification.

5. Dismissed as withdrawn with liberty aforesaid. The trial Court, if petitioner filed an application, shall decide the application of the petitioner in terms of aforesaid notification.

(JAGMOHAN BANSAL)

JUDGE

11.10.2023

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