

In the High Court of Punjab and Haryana at Chandigarh

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2023:PHHC:090497

CWP No. 8985 of 2023 (O&M)

Date of Decision: 19.07.2023

Harvinder Singh

---Petitioner

versus

Union of India and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Ishan Gupta, Advocate
for the petitioner

Ms. Monica Chawla, Advocate
for Union of India

Mr. Maninder Singh, DAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

CM-11404-CWP-2023

Allowed as prayed for.

Rejoinder to short reply filed by respondents No. 1 and 2, verification report (Annexure P-8) and birth certificate (Annexure P-9) are taken on record. Registry is directed to tag the same at an appropriate place.

CWP No. 8985 of 2023

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

2. The petitioner applied for re-issuance of passport on 10.02.2023. The petitioner was convicted vide judgment dated 09.08.2012 passed by Sessions Judge, Ludhiana. He was sentenced to life imprisonment. The petitioner preferred an appeal before this Court which came to be dismissed vide judgment dated 16.08.2016. The petitioner was granted remission and prematurely released in 2019.

3. The police in its report has confirmed that petitioner has already completed his sentence and he is not involved in any other case.

4. Learned counsel for Union of India inter alia contends that authorities are unable to issue passport because petitioner is seeking correction in his date of birth. The passport authority has received report from the police, however, passport authority has sought another opinion of the police.

5. Mr. Maninder Singh, DAG, Punjab, on instructions from ASI Shingara Singh, submits that petitioner was involved in one case wherein he was convicted and sentenced to life imprisonment. As per their record, he is not involved in any other case.

6. The petitioner has placed on record letter dated 04.05.2023 issued by Senior Medical Officer, Chamkaur Sahib, District Rupnagar confirming date of birth of the petitioner.

7. On being confronted with the abovestated fact, Ms. Monica Chawla, counsel for Union of India submits that passport authority would look into the said certificate and pass appropriate

order within six weeks from today.

8. In view of statement of learned counsel for Union of India, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

19.07.2023

paramjit

Whether speaking/reasoned : Yes

Whether reportable : Yes/No