

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

208

CWP-10795-2023 (O&M)

Date of Decision : 16.10.2023

Sukhdev Singh

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.PKS Phoolka, Advocate
for the petitioner.

Mr. Amit Sharma, Central Govt. Counsel
for respondents No.1 and 2-UOI.

Mr. Deepanjay Sharma, DAG, Punjab.

Mr. Raman Sharma, Addl.A.G., Haryana

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of Constitution of India is seeking directions to the respondents to release his passport.

2. The petitioner is holding passport No.k-9121322 dated 03.04.2013. An FIR No.48 dated 14.03.2019, under Section 420 of IPC at Police Station Civil Lines Bathinda was registered against the petitioner. The police during the course of investigation resumed passport of the petitioner. The police has filed its report under Section 173 of Cr.P.C. against others persons named in the FIR, however, *challan* has not been presented against the petitioner.

3. Learned counsel for the petitioner submits that the Investigating Officer has no authority to withhold passport of the petitioner.
4. Learned State counsel on instructions from ASI Diwan Chand submits that it is factually correct that police has not presented *challan* against the petitioner though *challan* has been presented against other persons named in the FIR. He assures the Court that within two weeks from today, the Investigating Officer would look into grievance of the petitioner and pass an appropriate order.
4. In the wake of statement of learned state counsel, the present petition stands disposed of. The petitioner is at liberty to file fresh application before passport authority seeking re-issuance of passport .
5. Pending application, if any, shall also stand disposed of.

16.10.2023
anju

(JAGMOHAN BANSAL)
JUDGE

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