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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-15863-2022

Date of Decision:04.07.2023

KULWANT SINGH JAWANDA

..... Petitioner

Versus

UNION OF INDIA AND ANR

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. G.S. Nahel, Advocate
for the petitioner.Ms. Shweta Nahata, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. On 18.08.2022 following order was passed:

*“Relies upon the judgment in **Tarsem Singh vs. Union of India and others**, CWP-8902-2012 decided on 15.01.2014, to submit that the petitioner not being computer savvy had taken help of an agent to fill the form and the factum of his conviction in FIR No.89 dated 04.07.2013 and pendency of appeal bearing No.CRA-S-2061-SB-2014 was told to the said agent but inadvertently the same was not entered in the online portal. The aforesaid fact has also been informed to the Regional Passport Officer by way of representation transmitted on 23.02.2022 (Annexure P-6). It is contended that without deciding the said representation, vide communication dated 09.03.2022 (Annexure P-7), the process to impound the passport has been initiated.*

Notice of motion.

Mr. Karan Kumar Jund, Central Government Counsel, has put in appearance and accepts notice on behalf

of respondent Nos.1 and 2. He prays for and is granted time to file reply.

Adjourned to 20.09.2022.”

2. It is undisputed that the petitioner has already been issued renewed passport. The validity period of original passport was from 14.01.2011 to 13.01.2021 and it was renewed for another period of 10 years. The passport is in the custody of petitioner and he has already been convicted and further sentenced to 7 years imprisonment. The appeal of the petitioner is pending before this Court and sentence of the petitioner stands suspended.
3. Learned counsel for the parties are *ad idem* that passport in question may be deposited with Trial Court and petitioner shall travel aboard after seeking prior approval of the Appellate Court.
4. In view of the statement of both sides, the present petition is disposed of with a direction to petitioner to deposit his passport with Trial Court which had convicted the petitioner and he shall not leave country without prior permission of the Appellate Court i.e. this Court where appeal of the petitioner is pending.

(JAGMOHAN BANSAL)
JUDGE

04.07.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>