

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

204

CWP-19741 of 2022

Date of Decision: 24.02.2023

Om Parkash

....Petitioner(s)

Versus

Regional Passport Officer and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: None for the petitioner.

Ms. Amrita Singh, Advocate,
for the respondents No.1 and 2.

Mr. Vishal Malik, DAG, Haryana

JASGURPREET SINGH PURI, J. (Oral)

Nobody has caused appearance on behalf of the petitioner.

The present petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondent No.1-Regional Passport Officer, Chandigarh to release the passport to the petitioner.

The grievance in the present petition is that the petitioner had filed an application for grant of passport but the same has not been issued because of the pendency of an FIR against him and it is a settled law that mere pendency of an FIR can not disentitle a person for getting the passport.

At this stage, Ms. Amrita Singh, Advocate learned counsel appearing on behalf of the respondents-Passport Authorities has stated that in the month of May 2022 the application of the petitioner has been closed and in

case the petitioner files a fresh application for issue of a passport alongwith all the documents particularly pertaining to the status of the FIR, then the fresh application will be considered and processed as expeditiously as possible.

In view of the aforesaid position, whereby the application for grant of passport earlier filed by the petitioner has been closed and the statement made by learned counsel for the Passport Authorities that in case a fresh application is filed in accordance with law then the same will be processed as expeditiously as possible, nothing survives in the present petition. So far as the earlier application filed by the petitioner is concerned it has since been closed. However, it is directed that in case the petitioner files a fresh application for grant of passport, then the same shall be considered and finalized by the Passport Authorities within a period of two months from the date of the application.

Needless to say that the law laid down by this Court in **Daler Singh versus Union of India** 2015(8) RCR (Civil) 618 and **Sahib Jaskaran Singh versus Union of India and others (CWP-19551 of 2015)** shall be kept in mind while deciding the fresh application if any filed by the petitioner.

Disposed of.

(JASGURPREET SINGH PURI)
JUDGE

February 24, 2023
dinesh

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