

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

CWP-14274-2023

Date of Decision:07.07.2023

JATINDER SINGH

..... Petitioner

Versus

UNION OF INDIA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. Gagandeep Kaur, Advocate for the petitioner.

Ms. Shweta Nahata, Advocate for the respondents No.1 to 3.

Mr. Maninder Singh, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

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

2. Learned counsel for the petitioner *inter alia* contends that petitioner was issued passport on 05.08.2009 which was valid upto 04.08.2019. On 27.03.2018, the petitioner was implicated in FIR No.117 dated 01.09.2014, registered at Police Station Amargarh, under Sections 304A, 279, 337, 338 and 427 of IPC. The petitioner was convicted and sentenced to rigorous imprisonment of 2 years. The petitioner preferred an appeal before Appellate Court which came to be dismissed. The petitioner thereafter has preferred CRR-1150-2018 which is pending before this Court. The sentence of the petitioner stands suspended vide order dated 27.03.2018. The petitioner moved an application dated 07.02.2023 alongwith all requisite documents for re-issuance of passport to him. The respondent has declined request of the petitioner on the ground of pendency of aforesaid revision.

3. Ms. Shweta Nahata, Advocate who on advance notice is

present in Court on behalf of respondents No.1 to 3 submits that present petition may be disposed of in terms of order dated 04.07.2023 passed in CWP No.15863 of 2022.

4. This Court in CWP No.15863 of 2022 has passed following order:

“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.”

5. The present petition stands disposed of in terms of order dated 04.07.2023 passed by this Court in CWP No.15863 of 2022.

(JAGMOHAN BANSAL)
JUDGE

07.07.2023
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No