

In the High Court of Punjab and Haryana at Chandigarh
106

2023:PHHC:089183

CWP-14862 of 2023

Date of Decision: 17.07.2023

Arshdeep Singh

---Petitioner

versus

Union of India and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Lupil Gupta, Advocate
for the petitioner

Mr. Arvind Seth, Senior Panel counsel
for Union of India

Mr. Maninder Singh, DAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through the instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents No. 1 and 2 to renew/re-issue passport of the petitioner.

2. Learned counsel for the petitioner inter alia contends that FIR No. 144 dated 04.11.2018, under Sections 323, 324, 325, 452, 148, 149 of IPC was registered against the petitioner at Police Station, Sarhali, District Tarn Taran. The police twice have already filed cancellation report, however, trial court has directed the investigating officer to conduct further investigation. In view of different instructions of respondents-Union of India, the passport authority cannot withhold passport of the petitioner.

3. Mr. Arvind Seth, Senior Panel Counsel for Union of India submits that petitioner has repeatedly been issued show cause notice and last show cause notice was issued on 2.7.2023 to which the petitioner has not replied. As soon as the petitioner would reply to show cause notice dated 2.7.2023, the appropriate authority would pass speaking and reasoned order.

4. Mr. Lupil Gupta, Advocate, submits that as per his instructions, the petitioner has not received copy of aforesaid show cause notice.

5. Mr. Arvind Seth, Senior Panel Counsel for Union of India undertakes to supply copy of show cause notice dated 02.07.2023 during the course of day.

6. In view of statement of learned counsel for Union of India, the present petition is disposed of with a direction to respondents No. 1 and 2 to pass a speaking order within 8 weeks after granting opportunity of hearing to the petitioner, if the petitioner files reply to the show cause notice dated 2.7.2023 within two weeks from today.

(JAGMOHAN BANSAL)
JUDGE

17.07.2023

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Whether speaking/reasoned : Yes

Whether reportable : Yes/No