

205

2023:PHHC:054735

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-18604-2022 (O&M)
Date of Decision: 19.04.2023

Charanjit Singh

....Petitioner(s)

Versus

Union of India and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Maninder Arora, Advocate, for the petitioner.

Mr. Karan Kumar Jund, Advocate,
for respondent Nos. 1 to 3.

Ms. Akshita Chauhan, DAG, Punjab,
for respondent Nos. 4 and 5.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India seeking a writ in the nature of *Mandamus* directing the respondents to issue passport to the petitioner.

Learned counsel for the petitioner has submitted that the petitioner had filed an application to the Passport Authorities for grant of passport in the year 2021. He submitted that the Passport Authorities did not issue the passport to the petitioner only on the ground that there was an FIR No.77 dated 11.08.2011, registered at Police Station Jodhan, Ludhiana Rural in which the petitioner was named but thereafter during the course of investigation, the petitioner was exonerated and was declared as innocent and even the other co-accused were also acquitted later on by the

learned trial Court. He further submitted even the petitioner had filed a quashing petition before this Court vide CRM-M-19722-2022 and in that case the learned State counsel had also submitted that the petitioner has already been exonerated and therefore the quashing petition was also disposed of as having been rendered infructuous. He further submitted that in this way there was no impediment for the Passport Authorities to have not issued the passport to the petitioner and therefore a direction be issued to the Passport Authorities to consider, process and finalize the application filed by the petitioner for grant of passport within a time frame work.

On the other hand, Ms. Akshita Chauhan, learned DAG, Punjab has submitted that as per her instructions the petitioner has already been declared as innocent in the aforesaid FIR.

Mr. Karan Kumar Jund, Advocate appearing on behalf of the Passport Authorities has submitted that in view of the aforesaid factual position, the Passport Authorities will now process and finalize the application filed by the petitioner for grant of passport within a period of four weeks from today.

In view of the aforesaid position wherein the learned counsel for the Passport Authorities has stated that the application of the petitioner will be finalized within a period of four weeks from today, it is directed that the Passport Authorities shall consider and decide the application filed by the petitioner for grant of passport within a period of four weeks from today and in case any further information is required from the petitioner, then he shall be conveyed by way of a written communication.

However, the aforesaid time frame work of four weeks will not be exceeded by the Passport Authorities.

The present petition is disposed of accordingly.

19.04.2023		(JASGURPREET SINGH PURI)
rakesh		JUDGE
Whether speaking	:	Yes/No
Whether reportable	:	Yes/No