

**205**  
**IN THE HIGH COURT OF PUNJAB AND HARYANA AT**  
**CHANDIGARH**

**CWP-19918-2018**  
**Date of Decision: 06.02.2023**

**PARAMJEET KAUR**

....Petitioner(s)

Versus

**UNION OF INDIA AND OTHERS**

.....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr. Saleem Akhter, Advocate for  
Mr. S.S. Swaich, Advocate, for the petitioner.

Ms. Gehna Vashnavi, Advocate,  
for respondent Nos. 1 to 3.

Ms. Akshita Chauhan, DAG, Punjab,  
for respondent Nos. 4 to 7.

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**JASGURPREET SINGH PURI, J. (Oral)**

The present petition has been filed under Article 226/227 of the Constitution of India seeking a writ in the nature of Certiorari for quashing of impugned communication/letter dated 11.05.2018 (Annexure P-1) passed by the Regional Passport Office, Chandigarh regarding non-issuance of passport to the petitioner.

Learned counsel for the petitioner has submitted that the petitioner was convicted and sentenced to undergo imprisonment for a period of three years vide order of sentence dated 05.04.2014 regarding which even appeal is pending before this Court. He submitted that the

petitioner had filed an application for grant of passport but the same has not granted to the petitioner on the ground of the aforesaid conviction which was suffered by her. He submitted that the aforesaid conviction was of the year 2014 and as per the provisions of Section 6(2) (e) of the Passports Act, the period of five years has already been elapsed and thereafter the petitioner is entitled for the grant of passport since there was no other impediment against the petitioner.

Ms. Gehna Vaishnavi, Advocate appearing on behalf of the respondent-Passport Authorities has submitted that the application which was filed by the petitioner has since lapsed and was closed on 09.04.2019. She submitted that the petitioner did not supply any document pertaining to her conviction order and the status thereof. She submitted that now since the period of five years have elapsed, in case the petitioner files any fresh application for grant of passport to the Passport Authorities, then the same shall be considered by the Passport Authorities as expeditiously as possible.

I have heard the learned counsel for the parties.

The petitioner had earlier applied for the passport but in view of her conviction order in which she had sentenced for three years, she was not granted passport but now the aforesaid conviction of the year of 2014 and as per the learned counsel appearing on behalf of the Passport Authorities, the period of five years has elapsed and therefore, in case the petitioner files any fresh application for grant of passport, then the same shall be considered in accordance with law and as expeditiously as possible.

In view of the aforesaid position, the present petition is disposed of.

The petitioner shall be at liberty to file any fresh application to the Passport Authorities for issuance of a fresh passport in accordance with law. On the filing of the fresh application, the Passport Authorities shall consider and finalize the same as expeditiously as possible and within a period of two months from today.

06.02.2023

rakesh

Whether speaking  
Whether reportable

(JASGURPREET SINGH PURI)  
JUDGE

: Yes/No  
: Yes/No