

In the High Court of Punjab and Haryana at Chandigarh

106

2023:PHHC:096377

CWP No. 16027 of 2023

Date of Decision: 28.07.2023

Tegveer Singh

---Petitioner

versus

Union of India and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Namit Gautam, Advocate
for the petitioner
Mr. Amit Sharma, Senior Panel Counsel
for Union of India
Ms. Deepali Puri, Addl. A.G, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking setting aside of notice dated 07.06.2023 (Annexure P-8) whereby respondent No. 2 has impounded passport of the petitioner.

2. Learned counsel for the petitioner inter alia submits that respondent No. 2 has impounded passport of the petitioner on the ground that an FIR No. 262 dated 10.11.2022, under Sections 420, 120-B of IPC registered against the petitioner at Police Station, Division No. 8, Ludhiana, District Ludhiana, is still pending.

The police has not presented its report under Section 173 Cr.P.C. against the petitioner and petitioner has entered into compromise dated 06.02.2023 with the complainant. The petitioner

has filed CRM-M-7403 of 2023 before this Court seeking quashing of aforesaid FIR on the basis of compromise. This Court has issued notice of motion on 14.02.2023 and directed the parties to tender their statements before trial court. The petitioner and complainant have already tendered their statements before learned Chief Judicial Magistrate, Ludhiana.

3. This Court vide judgment dated 14.07.2023 passed in CWP No. 27167 of 2018 has disposed of identical issue.

4. On being confronted with the aforesaid fact, Mr. Amit Sharma, Senior Panel Counsel for Union of India concedes that facts of the present case are identical to case of **Mohan Lal @ Mohna vs. Union of India and others, CWP No. 27167 of 2018** disposed of vide judgment dated 14.07.2023.

5. The issue involved in the present case is squarely covered by judgment of this Court dated 14.07.2023 passed in CWP No. 27167 of 2018.

6. The instant petition stands disposed of in view of aforesaid judgment and passport authorities are directed to pass order in the same terms.

(JAGMOHAN BANSAL)
JUDGE

28.07.2023

paramjit

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No