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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16136-2023

Date of Decision:28.07.2023

RAHUL KUMAR

..... Petitioner

Versus

UNION OF INDIA AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. K.S. Brar, Advocate
for the petitioner.

Ms. Neha Sharma, Senior Panel Counsel
for respondent No.1- UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking direction to respondent No.2 to issue passport which has been withheld on the ground of pendency of criminal proceedings.

2. Learned counsel for the petitioner *inter alia* contends that an FIR No. 79 dated 17.07.2022 under Sections 379B, 452, 341, 323, 148 and 149 of IPC was registered against the petitioner, however, police vide rapat dated 11.02.2023 has declared the petitioner innocent, thus, as on day no criminal proceedings are pending against petitioner, in any Court in India, thus, he is entitled to passport.

3. Learned counsel for the petitioner submits that case of the petitioner is squarely covered by Judgment dated 14.07.2023 passed by

this Court in *Mohan Lal @ Mohna vs. Union of India and others*, CWP No. 27167 of 2018.

4. Learned counsel for the respondent does not dispute the fact that issue involved in the present case is squarely covered by judgment of this Court passed in CWP No. 27167 of 2018.

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

6. It is made clear that if file of the petitioner has already been closed, the petitioner would be at liberty to file fresh application which thereafter shall be decided within 8 weeks.

(JAGMOHAN BANSAL)
JUDGE

28.07.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>