

In the High Court of Punjab and Haryana at Chandigarh
105

2023:PHHC:098058

CWP-16453 of 2023

Date of Decision: 01.08.2023

Sarabjit Singh

---Petitioner

versus

Union of India and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Lupil Gupta, Advocate
for the petitioner

Ms. Monica Chawla, Advocate
for Union of India

Mr. Deepanjay Sharma, D.A.G, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking direction to respondents to issue his passport.

2. The petitioner vide application dated 14.03.2023 applied for passport. FIR No. 68 dated 19.06.2021, under Sections 399 and 402 of IPC and 25 of Arms Act was registered against the petitioner at Police Station Bhikhiwind, District Tarn Taran. The petitioner was arrested on 19.06.2021 and thereafter released on bail vide order dated 25.07.2021. The police after completing investigation has filed challan under Section 173 Cr.P.C. The respondent has not issued passport on account of pendency of criminal proceedings.

3. Ms. Monica Chawla, counsel for Union of India, who on advance notice is present in Court, submits that case of the petitioner is squarely covered by Notification No. 570 dated 25.08.1993 issued by Central Government, thus, petitioner is supposed to approach trial court and seek permission.

4. On being confronted with aforesaid Notification, learned counsel for the petitioner seeks liberty to approach trial court, in terms of aforesaid Notification.

5. The petition stands disposed of with liberty to the petitioner to approach trial court, in terms of Notification No. 570 dated 25.08.1993. On doing so, the trial court shall decide application of the petitioner expeditiously.

(JAGMOHAN BANSAL)

JUDGE

01.08.2023

paramjit

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No