

In the High Court of Punjab and Haryana at Chandigarh

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2023:PHHC:098834

CWP No. 16568 of 2023

Date of Decision: 02.08.2023

Jujhar Singh

---Petitioner

versus

Union of India and others

---Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Atul Yadav, Advocate
for the petitioner

Mr. Karan Kumar Jund, Central Government Counsel
for Union of India

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking direction to respondent No. 2 to release his passport.

2. Learned counsel for the petitioner inter alia contends that passport of the petitioner was valid upto 2027, however, at the asking of respondent No. 2, the petitioner has surrendered his passport. The petitioner has been convicted in FIR No. 18 dated 11.08.2010, under Section 120-B of IPC and Section 7/13 (1)(D) read with Section 13(2) of Prevention of Corruption Act, registered at Police Station, CBI, ACB, Chandigarh. The petitioner has been sentenced to imprisonment of one year vide judgment and order of sentence dated 26.08.2014. CRA-S-3455-SB of 2014 assailing judgment of conviction is pending before

this Court. The case of the petitioner is neither covered by Clause (e) nor (f) of Section 6(2) of the Passport Act, 1967. In view of judgment of this Court in **Mohan Lal @ Mohna vs. Union of India and others, CWP No. 27167 of 2018 decided on 14.07.2023**, the petitioner is entitled to passport and it cannot be withheld by passport authority.

3. Mr. Karan Kumar Jund, counsel for Union of India, who on advance notice is present in Court, does not dispute the factual position and submits that case of the petitioner would be re-considered in the light of aforesaid judgment of this Court.

4. The petition stands disposed of with a direction to respondent No. 4 to consider case of the petitioner in the light of aforesaid judgment of this Court. Needful be done within six weeks from today.

(JAGMOHAN BANSAL)
JUDGE

02.08.2023

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Whether speaking/reasoned : Yes

Whether reportable : Yes/No