

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

101

CWP-19009-2023

Date of Decision: 02.09.2023

Jagtar Singh

...Petitioner

Versus

Union of India and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Ms. Bhupinder Kaur Bhangu, Advocate for the petitioner

Mr. Dheeraj Jain, Senior Panel Counsel and
Mr. Arvind Seth, Central Govt. Counsel,
for Union of India-respondent Nos.1 to 3

Mr. Deepanjay Sharma, DAG, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner, through instant petition under Articles 226/227 of the Constitution of India, is seeking directions to the respondents to issue him passport.

2. The petitioner applied for passport on 30.03.2023. Two FIRs have been registered against the petitioner i.e. FIR No.219 dated 12.06.2020 under Sections 430, 277 & 427 of Indian Penal Code, 1860 (for short 'IPC') at Police Station Sadar Dhuri and FIR No.334 dated 27.10.2020 under Sections 452, 323, 506, 427 & 34 of IPC at Police Station Sadar Dhuri. The police after completing investigation filed its report under Section 173 Cr.P.C. in FIR No.219 dated 12.06.2020. The alleged offence was compoundable and Trial Court in view of statement of both sides compounded the offence. Police

after completing investigation in FIR No.334 dated 27.10.2020 has filed

cancellation report which has not been accepted by the Trial Court and matter has been sent back for further investigation.

3. Learned counsel for the petitioner *inter alia* submits that case of the petitioner is not covered by Clause (f) of Section 6(2) of the Passport Act, 1967 and case of the petitioner is squarely covered by judgment dated 14.07.2023 in ***Mohan Lal @ Mohna Versus Union of India and Others; CWP-27167-2018***, passed by this Court.

4. Mr. Deepanjay Sharma, learned State counsel confirms the factual position with respect to aforesaid FIRs.

5. Mr. Arvind Seth, who on advance notice is present in Court on behalf of respondent Nos.1 to 3, submits that petitioner may be directed to appear before the competent authority along with all requisite documents on 26.09.2023 at 10:00 AM and competent authority would pass an appropriate order within 6 weeks considering judgment of *Mohan Lal (supra)* passed by this Court.

6. Learned counsel for the petitioner agrees to the said arrangement.

7. In the wake of statements of learned counsels for the parties, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

02.09.2023
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No