

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

107

**2023:PHHC:120034
CWP No.18877 of 2023
Date of Decision:13.09.2023**

Kailash Kaur

....Petitioner

VS.

Union of India and another

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

**Present: Mr. C.L.Verma, Advocate
for the petitioner**

**Mr. Karan Kumar Jund, Central Govt. Counsel
for the Union of India**

JAGMOHAN BANSAL, J. (ORAL)

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

2. The petitioner was issued passport on 18.03.2009 which expired on 17.03.2019. An FIR No. 53 dated 16.03.2013, under Sections 489-A, 489-B, 489-C of IPC and Sections 21/61/85 of the NDPS Act was registered against the petitioner at Police Station, Mataur, District Mohali. The petitioner was convicted and awarded sentence of two years. The petitioner has preferred appeal before this Court assailing the judgment of conviction and order of sentence. This Court vide order dated 15.12.2016 has suspended sentence of the petitioner. Another FIR No. 04 dated 08.03.2021, under Sections 323, 406 and 498-A of IPC has been registered against the

petitioner at Women Police Station, Naraingarh, District Ambala. The petitioner has filed CRM-M-50029 of 2021 before this Court assailing aforesaid FIR. This Court vide order dated 02.12.2021 has issued notice of motion and further stayed proceedings pending before trial court.

3. Learned counsel for the petitioner submits that case of the petitioner is squarely covered by judgment of this Court in **Mohan Lal @ Mohna vs. Union of India and others 2023 SCC Online P&H 1391**.

4. Learned counsel for Union of India submits that petitioner has been issued notice and she may be directed to appear before the passport authority alongwith requisite documents and the passport authority, thereafter, would pass an appropriate order after considering the afore-stated judgment within six weeks.

5. Learned counsel for the petitioner agrees to the aforesaid arrangement.

6. The petitioner is directed to appear before the passport authority on 04.10.2023 alongwith requisite documents. On doing so, the passport authority would pass an appropriate order, in accordance with law, within six weeks from 04.10.2023.

7. The petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

13.09.2023
paramjit

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