

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

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**2023:PHHC:134904
CWP No.19169 of 2023
Date of Decision:17.10.2023**

Kulwant Singh

....Petitioner

VS.

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Rishu Mahajan, Advocate
for the petitioner

Ms. Amrita Singh, Central Govt. Counsel
for the Union of India

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 direction to respondent No. 2 to issue passport.

2. The petitioner applied for passport on 01.05.2014. The petitioner was not issued passport on account of pending FIRs. The petitioner again applied for passport on 14.06.2022. The application of the petitioner has been closed on account of pending FIRs.

3. Learned counsel for the petitioner inter alia contends that no criminal case is pending against the petitioner. All the cases have already either been closed or he has already undergone awarded sentence.

4. Learned State counsel, who on advance notice is present in Court, on instructions from SI Karamjit Singh, submits that petitioner was involved in five FIRs. The police filed untraced report in FIR Nos. 15 dated 11.07.1992, 39 dated 25.03.1994 and FIR No. 86 dated 08.09.2002. The petitioner was acquitted in FIR No. 54 dated 21.08.2007 and he was convicted in FIR No. 146 dated 14.12.1996. The petitioner in case of conviction was released on probation.

5. Faced with this, counsel for Union of India submits that application of the petitioner has already been closed and if petitioner files fresh application it would be processed in accordance with law and after considering statement made by learned State counsel.

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

7. In the wake of statements of both sides, the petition stands disposed of with liberty to the petitioner to file a fresh application seeking passport. If petitioner files a fresh application, it would be disposed of expeditiously.

(JAGMOHAN BANSAL)
JUDGE

17.10.2023
paramjit

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