

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

102

CWP-20716-2023

Date of Decision : 11.10.2023

Gurdeep Singh Sidhu

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Nirmaljeet Singh Sidhu, Advocate
for the petitioner.

Ms. Saigeeta Srivastava, Central Govt. Counsel
for respondents No.1 to 3.

Mr. Deepanjay Sharma, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking setting aside of show cause notice dated 09.08.2023 (Annexure P-2) and directions to respondent No.3 to issue him passport.

2. The petitioner vide application dated 03.07.2023 applied for passport. The respondent has not issued passport on account of pendency of trial arising out of FIR No.25 dated 22.04.2021, under Section 21-B of NDPS Act registered at Police Station S.G.N. Thermal Plant, District Bathinda. The respondent has issued show cause notice to the petitioner.

3. Learned State counsel submits that police report under Section 173 Cr.P.C. has already been filed and charges have already been framed. The matter is at prosecution witness stage. As per notification No.570 dated 25.08.1993 issued by Central Government, passport may be issued

despite pendency of criminal trial, however, subject to permission granted by trial Court. The petitioner has not approached trial Court.

4. Faced with this, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to approach trial Court in terms of aforesaid notification.

5. Dismissed as withdrawn with liberty aforesaid. The trial Court, if petitioner filed an application, shall decide the application of the petitioner in terms of aforesaid notification.

11.10.2023
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(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>