

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

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**2023:PHHC:138700
CWP No. 21946 of 2023
Date of Decision:31.10.2023**

Yunus Khan

....Petitioner

VS.

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Mohd. Arshad, Advocate
for the petitioner

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

Mr. Raman Sharma, Addl. A.G.Haryana

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 re-issue his passport.

2. The petitioner was issued passport on 25.06.2009 which expired on 24.06.2019. An FIR No. 91 dated 21.02.2018, under Sections 120-B, 188 and 379 of IPC came to be registered against the petitioner at Police Station, Sadar Tauru. The police after completing investigation presented report under Section 173 Cr.P.C. before trial court on 04.10.2023, however, till date charges have not been framed.

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 and Notification No. 570 dated 25.08.1993 issued by the Central Government.

4. Learned State counsel confirms the aforesaid factual position with respect to above noted FIR.

5. Learned counsel for Union of India submits that passport would be issued, however, it would be deposited with trial court as police has already filed challan against the petitioner.

6. Without commenting upon merit of the case, the respondents are directed to consider application of the petitioner and pass an appropriate order within four weeks from today. If no adverse material is found against the petitioner, the passport may be issued and it may directly be deposited with trial court where trial arising out of aforesaid FIR is pending against the petitioner.

7. The petitioner is at liberty to move an appropriate application before trial court for visiting abroad.

8. In view of the above, the petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

31.10.2023
paramjit

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