

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111

CWP-23076-2023

Date of Decision: 12.10.2023

Amrinder Singh

...Petitioner

Versus

Union of India and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Balbir Singh Jaiswal, Advocate for the petitioner
Mr. Himanshu Malik, Central Government Counsel,
for Union of India-respondents
Ms. Lavanya Paul, 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 issuance of passport on 20.06.2018. An FIR No.28 dated 23.03.2018 came to be registered against the petitioner under Sections 307/34 of Indian Penal Code, 1860 and Arms Act at Police Station Gharinda, District Amritsar. The police after completing investigation filed cancelation report, however, Trial Court directed the police to make further investigation. The matter is still pending under investigation. Respondent No.2 has closed application of the petitioner on account of adverse police verification report.

3. Learned counsel for the petitioner submits case of the petitioner is squarely covered by judgment of *Mohan Lal @ Mohna Versus Union of India and Others; 2023 SCC OnLine 1391*.
4. Learned State counsel does not dispute the afore-stated factual position.
5. Learned counsel for respondents submits that application of the petitioner has already been closed, thus, he is required to file fresh application. If the petitioner files fresh application, it would be considered and decided in the light of judgment of *Mohan Lal (supra)*.
6. Faced with this, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file fresh application before respondent No.2 seeking issuance of passport.
7. Dismissed as withdrawn.
8. If the petitioner files fresh application seeking passport, it shall be decided in the light of judgment of *Mohan Lal (supra)*.

(JAGMOHAN BANSAL)
JUDGE

12.10.2023
Mohit Kumar

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