

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

206

CWP-32378-2019

Date of Decision : 12.09.2023

Harbhajan Singh

..... Petitioner

Versus

Union of India and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Sachin Jain, Advocate and
Mr. Sandeep Jain, Advocate
for the petitioner.

Mr. Amit Sharma, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking direction to the respondents to release his passport.

2. The petitioner was issued passport on 29.09.2004 and it expired on 28.09.2014. The petitioner applied for re-issuance of passport. The passport was re-issued and its validity was upto 09.05.2024. On account of pendency of criminal cases, the petitioner on the asking of the respondents has surrendered his passport. The passport is in the custody of respondents.

3. Learned counsel for the respondents submits that two criminal cases, arising out of FIR No.87 dated 08.10.2011, registered at Police Station Rajpura, under Sections 406, 420, 447, 511, 427, 506 and 120-B of

IPC and FIR No.60 dated 11.03.2017, registered at Police Station Derabassi, under Sections 406, 420 and 120-B of IPC, are pending against the petitioner. The trial is going on.

4. The case of the petitioner is squarely covered by notification No.570 dated 25.08.1993 issued by Central Government in exercise of power conferred under Section 22 of Passport Act, 1967. As per said notification, the petitioner may be issued passport or permitted to visit abroad subject to permission from trial Court despite pendency of criminal cases.

5. On being confronted with aforesaid notification, the petitioner seeks permission to withdraw the present petition with liberty to approach trial Court in terms of aforesaid notification.

6. Dismissed as withdrawn with liberty aforesaid.

(JAGMOHAN BANSAL)
JUDGE

12.09.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>