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

CWP-27847-2022

Date of Decision: 16.02.2023

Balwant Singh

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of *mandamus* directing the respondents No.2 to 4 to immediately renew the Passport No.F2131070 of the petitioner after completing all the formalities and by deciding the representation dated 03.10.2022 (Annexure P-4).

Learned counsel for the petitioner has submitted that the petitioner has applied for issue/renew of the passport on 18.09.2017 but thereafter, the Passport Authorities have closed his application because according to them there was an FIR bearing No.125, dated 09.09.2012, under Section 13 of the Public Gambling Act, registered at Police Station Sadar Sangrur.

Learned counsel for the petitioner further submitted that the conviction in the Public Gambling Act is less than 2 years, and therefore, bar

contained under Section 6(2)(e) of the Passports Act, 1967 will not apply in the present case, and therefore, the Passport Authorities have wrongly closed the application of the petitioner.

I have heard the learned counsel for the petitioner.

The present petition is filed by the petitioner after the closure of his application by the Passport Authority. The petitioner had applied for issuance/renew of the passport to the Passport Authorities in the year 2017, and thereafter, it was closed and now the petitioner seeks indulgence of this Court for re-opening of the case. This Court is of the view that such kind of prayer cannot be made. The petitioner instead of approaching the Passport Authority by filing a fresh application, has filed the present petition which is pre-mature.

Consequently, the present petition is dismissed as pre-mature.

16.02.2023*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |