

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

CWP-28511-2022

Date of decision: 17.03.2023

Tarnjit Singh Uppal

.....Petitioner

Vs

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Sapan Dhir, Advocate
for the petitioner.

Mr. Karanjit Singh, Addl. A.G., Punjab
for the respondents.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of Mandamus directing the official respondents to issue Police Clearance Certificate to the petitioner to visit Canada through Visitor Visa to meet his wife and on the petitioner furnishing security to the respondents and for quashing of the impugned order/status report dated 02.08.2022 (Annexure P-1).

Learned counsel appearing on behalf of the petitioner contends that the requirement to be furnished in a status report is only to submit details of criminal cases pending against an applicant. The same does not require grant of recommendation from State Police. In a pending case, in the event of any accused wanting to travel abroad, such permission for going abroad has to be obtained from the concerned Court. Instead of reporting the status, the respondents have reported that application is not recommended, which is beyond the requirement of law.

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Learned counsel for the respondent-State however, contends that the case of the petitioner was not recommended by the State police as he is facing proceedings in case FIR No.124 dated 07.12.2019 registered under Sections 308/325/323/506/201/34 IPC at Police Station Sandaur.

The aforesaid aspect is however not reflected from the status report or the purported recommendation.

The status report, hence, is not as per specification of law. The same is thus, set aside. The respondent-authority may however issue an appropriate status report in accordance with law.

Needless to mention that a fresh status report shall be issued by the office of the respondents in a time bound manner and preferably within a period of 02 weeks from the receipt of certified copy of this order.

The present petition is accordingly disposed of.

MARCH 17, 2023

**(VINOD S. BHARDWAJ)
JUDGE**

ps-I

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