

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

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**2023:PHHC:142390
CWP No.25255 of 2023
Date of Decision:08.11.2023**

Jasvir Singh Billing

....Petitioner

VS.

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Satbir Singh Gill, Advocate
for the petitioner

Mr. Ankur Sharma, Senior Panel Counsel
for the Union of India

Mr. Inderpreet Singh Kang, AAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of communication dated 04.08.2023 whereby re-issuance of passport has been withheld on account of pending criminal case.

2. The petitioner was convicted vide judgment dated 24.09.2019 passed by Additional Sessions Judge, Sangrur. The petitioner has been awarded sentence of life imprisonment. The petitioner has preferred CRA-D-848 of 2019 before this Court. The sentence of the petitioner stands suspended vide order dated 10.11.2021.

3. A period of five years from the date of conviction has not expired, thus, petitioner in terms of Section 6(2) of the Passport Act is not entitled to passport.

4. Faced with this, learned counsel for the petitioner seeks permission to withdraw the instant petition, however, prays that passport authority may be directed to consider his case on the expiry of five years.

5. Learned counsel for Union of India, who on advance notice is present in Court, submits that case of the petitioner would be considered in accordance with law.

6. In the wake of statement of learned counsel for the parties, the petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

08.11.2023
paramjit

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