

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

CWP-25064-2023
Date of Decision: 06.11.2023

Lakhvir Kumar ...Petitioner

Versus

Union of India and Others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Manmeet Singh Rana, Advocate for the petitioner
Mr. Ankur Sharma, Senior Panel Counsel
for Union of India-respondents
Mr. Inderpreet Singh Kang, AAG, Punjab
(assisted by ASI Balwinder Kaur)

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.3 to re-issue him passport.
2. The petitioner was convicted vide judgment dated 24.12.2012 passed by the Trial Court. The petitioner was awarded sentence of 7 years. The petitioner has filed appeal before this Court which is still pending adjudication. The sentence of the petitioner has been suspended vide order 06.01.2015 passed by this Court.
3. Learned counsel for the petitioner *inter alia* contends that a period of 5 years has expired from the date of conviction, thus, petitioner is entitled to passport and rigors of Section 6(2) of Passport Act, 1967 is not applicable. The case of the petitioner is squarely covered by judgment of this

Court in *Mohan Lal @ Mohna Versus Union of India and Others; 2023 SCC OnLine 1391*.

4. Mr. Ankur Sharma, learned counsel for the respondents, who on advance notice is present in Court on behalf of the respondents, asserts that passport authority would pass an appropriate order within six weeks from today, considering judgment of this Court in *Mohan Lal (supra)*.
5. Learned counsel for the petitioner agrees to the aforesaid arrangement.
6. In the wake of statements of learned counsels for the parties, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

06.11.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>