

In the High Court of Punjab and Haryana at Chandigarh

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2023:PHHC:107199

CWP-29255 of 2022(O&M)

Date of Decision: 18.08.2023

Joginder Singh Bhambra

---Petitioner

versus

Union of India and others

---Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Onkar Singh Batalvi, Advocate
for the petitioner

Mr. Amit Sharma, Advocate
for Union of India

Mr. Deepanjay Sharma D.A.G, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking direction to respondents No. 1 and 2 to re-issue/renew his passport.

2. The petitioner vide application dated 29.09.2021 applied for re-issue/renewal of his passport. The respondents have not re-issued/renewed passport on the ground that an FIR No. 19 dated 27.01.2012, under Sections 420, 465, 467, 468 and 471 of IPC and Section 31 of Representation of People Act, 1950 is pending against him.

3. Learned counsel for the petitioner submits that police after completing investigation has filed challan, however, charges have not been framed and petitioner has filed CRM-M-27805 of 2017 before this Court seeking quashing of aforesaid FIR. This Court vide

order dated 03.08.2017 directed the respondents therein not to take coercive steps against the petitioner. On account of said order, the trial court, though challan was presented in 2017, has not framed charges. The case of the petitioner is squarely covered by Office Memorandum dated 04.03.2023, thus, respondents may be directed to consider case of the petitioner and decide in the light of aforesaid Office Memorandum.

4. Learned State counsel does not dispute the aforesaid factual position.

5. Learned counsel for Union of India submits that competent authority would look into grievance of the petitioner and pass an appropriate order, within six months from today, considering the aforesaid Office Memorandum as well Notification No. 570 dated 25.08.1993.

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

(JAGMOHAN BANSAL)
JUDGE

18.08.2023
paramjit

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