

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

107

**2023:PHHC:153150
CWP No.26950 of 2023
Date of Decision:01.12.2023**

Mohinder Singh

....Petitioner

VS.

Union of India and another

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Arshdeep Singh Virdi, Advocate for
Mr. Vipin Mahajan, Advocate
for the petitioner

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

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order impounding passport of the petitioner.

2. The petitioner was issued passport on 03.06.2001 which expired on 02.06.2011. The petitioner applied for re-issuance of passport which was re-issued on 03.02.2023. The petitioner was involved in three FIRs. The petitioner has already been acquitted in two FIRs, however, one FIR is pending against the petitioner. Charges stand framed vide order dated 25.08.2023 passed by trial court. The respondents have impounded passport of the petitioner.

3. Learned counsel for Union of India, who on advance notice is present in Court, submits that petitioner has not preferred appeal against order impounding passport. Concededly, charges stand framed against the petitioner, thus, he cannot be issued passport. The petitioner is free to seek permission through trial court to get passport and travel abroad.

4. The petitioner has already been acquitted in two criminal cases, however, one case is pending and charges stand framed against him. In view of Section 6(2) of Passport Act read with instructions dated 25.08.1993 issued by Central Government, the petitioner may be issued passport and he may be permitted to travel abroad, subject to permission by trial court.

5. As charges have already been framed, the petitioner, in terms of Section 6(2) of the Passport Act read with Notification No. 570 dated 25.08.1993, is free to seek permission from trial court to travel abroad.

5. The petition stands disposed of in the above terms.

(JAGMOHAN BANSAL)
JUDGE

01.12.2023
paramjit

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