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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-37212-2019

Date of Decision:02.08.2023

GURWANT SINGH

..... Petitioner

Versus

UNION OF INDIA AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Vaneet Thakur, Advocate for
Mr. Arun Takhi, Advocate
for the petitioner.

Ms. Shweta Nahata, Advocate
for the respondents- UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of communication dated 09.10.2019 (Annexure P-5) whereby application of the petitioner seeking renewal of passport has been declined and communication dated 13.11.2019 (Annexure P-6) whereby file of the petitioner has been closed.

2. Learned counsel for the petitioner *inter alia* contends that during the pendency of present petition, the petitioner has preferred fresh application seeking renewal of passport. The respondent has not renewed the passport of the petitioner on the ground that there is adverse police verification report against the petitioner. An FIR No.2 dated 02.01.2018 under Sections 420, 465, 467, 468, 471, and 120-B of IPC was registered against the petitioner. The police after completing investigation has

presented its report under Section 173 Cr.P.C. The petitioner assailing proceedings arising out of FIR filed CRM-M-40804-2018 before this Court which vide order dated 17.10.2018 directed the Trial Court to adjourn the case beyond the date fixed before this Court. The Trial Court on account of interim order passed by this Court has not framed charges and trial is lying standstill. The case of the petitioner is covered by Office Memorandum dated 14.03.2023 issued by Central Government.

3. Learned counsel for the respondents submits that respondent authorities would consider case of the petitioner in the light of Office Memorandum dated 14.03.2023 and petitioner may be directed to submit all the documents relating to aforesaid FIR.

4. The petitioner is directed to appear before the respondent on 17.08.2023 at 11:00 AM alongwith all the documents relating to FIR. On doing so, the respondent considering Office Memorandum dated 14.03.2023 issued by the Central Government, shall pass speaking order within 6 weeks.

5. Disposed of in the above terms.

(JAGMOHAN BANSAL)
JUDGE

02.08.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>