

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

**Neutral Citation No. 2023:PHHC:157185
CRM-M-61906-2023
Date of Decision: December 08, 2023**

Gautam Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sourabh Sheoran, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner is aggrieved by the order dated 21.07.2023 (Annexure P-5) passed by learned Judicial Magistrate 1st Class, Pehowa, during proceedings of case FIR No.2 dated 04.01.2022, under Sections 148, 149, 323, 341, 427 and 506 of IPC, registered at Police Station Ismailabad, District Kurukshetra, whereby application of the petitioner seeking permission for getting issued the duplicate passport, was dismissed.

2. Learned counsel for the petitioner contends that petitioner is holder of a passport bearing No.S0409139 issued by the Regional Passport Officer, Chandigarh, which is valid from 19.03.2019 to 18.03.2028. The said passport was lost and report was lodged in this regard, copy of which is Annexure P-2. Petitioner applied for re-issuance of the passport. The Passport Authority gave date of appointment, but directed the applicant-petitioner to take necessary permission from the Court, where he is facing trial. However, the Court of learned Area Magistrate vide impugned order dated 21.07.2023 (Annexure P-5) misread the application by taking as if the Court had to re-issue the passport.

3. Notice of motion.
4. Mr. Sumit Jain, Addl. A.G., Haryana accepts notice on behalf of respondent-State.
5. The impugned order is hereby set aside. Since as per the application (Annexure P-12), the only prayer was made for seeking permission for getting issue the duplicate passport, so obviously the Trial Court clearly misunderstood the prayer made by the petitioner.
6. Necessary permission is granted to the petitioner for getting issued the duplicate passport from the concerned Regional Passport Office.

Disposed of.

December 08, 2023
sarita

(DEEPAK GUPTA)
JUDGE

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