

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102

CWP-1405-2024
Date of Decision: 13.02.2024

Sukhpreet Singh @ Mintu

...Petitioner

Versus

Union of India and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Tejinder Kataria, Advocate for the petitioner
Mr. Amit Sharma, Senior Panel Counsel,
for Union of India-respondent Nos.1 and 2
Ms. Anu Chatrath, Addl. Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. On 23.01.2024, the following order was passed:-

“The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to issue him passport.

On oral request made by counsel for the petitioner, State of Punjab is impleaded as respondent No.3. Counsel for the petitioner undertakes to file amended Memo of Parties during the course of the day.

Counsel for the petitioner inter alia contends that FIR No. 393 dated 31.12.2021, under Section 21 of NDPS Act, was registered against the petitioner at Police Station Ghall Khurad and he has been granted regular bail by trial court. Till date challan has not been presented. Case of the petitioner is squarely covered by judgment of this Court in Mohan Lal @ Mohna vs. Union of India and others 2023 SCC Online P&H 1391.

Notice of motion, returnable for 13.02.2024.

Mr. Amit Sharma, Senior Panel Counsel for Union of India, who on advance notice is present in Court, accepts notice and waives service. He seeks time to get instructions.

To be shown in the urgent list.”

2. Ms. Anu Chatrath, Addl. Advocate General, Punjab asserts that two FIRs have been registered against the petitioner, however, challan has not been presented in any of the case.

3. Faced with this, Mr. Amit Sharma, Senior Panel Counsel for Union of India-respondent Nos.1 and 2, asserts that competent authority would look into the matter and pass an appropriate order within eight weeks from today, considering judgment of this Court in ***Mohan Lal @ Mohna Versus Union of India and Others; 2023 SCC OnLine 1391.***

4. In the wake of statement of learned counsel for respondent Nos.1 and 2, the present petition stands disposed of.

5. In view of pendency of criminal cases against the petitioner, it is made clear that issuance of passport would not make him eligible to travel abroad.

(JAGMOHAN BANSAL)
JUDGE

13.02.2024
Mohit Kumar

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