

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CWP-1873-2024
Date of Decision: 05.03.2024

Lakhwinder Kaur ...Petitioner

Versus

The Regional Passport Officer Jalandhar and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Bhawesh Chaudhary, Advocate for the petitioner
Ms. Shreyansi Verma, Central Govt. Counsel,
for Union of India-respondent No.1
Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking direction to respondent No.1 to issue him passport.
2. The petitioner applied for passport vide application dated 13.12.2023. An FIR No.83 dated 24.05.2015, under Sections 323, 324, 452, 148, 149 of IPC at Police Station Sadar Kapurthala, District Kapurthala was registered against the petitioner. The police conducted investigation and found the petitioner innocent. No challan came to be presented against the petitioner. The petitioner is not involved in any other case. The passport authority did not issue passport on account of pendency of aforesaid FIR.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner is not involved in any criminal case. The police has already filed cancellation report, thus, respondent is bound to issue passport.
4. Learned State counsel submits that police after investigation filed cancellation report, however, it was returned for further investigation. The police till date has not completed further investigation.
5. Learned counsel for respondent No.1 submits that petitioner may be directed to file an affidavit to the effect that police till date has not filed report under Section 173 of Code of Criminal Procedure, 1973 against him. If he files the said affidavit, passport authority will process his application in accordance with law.
6. Learned counsel for the petitioner agrees to the aforesaid arrangement.
7. In the wake of statement of learned counsel for the parties, the present petition stands disposed of. Let needful be done within 6 weeks from date of filing affidavit.

(JAGMOHAN BANSAL)
JUDGE

05.03.2024
Mohit Kumar

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