

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

102

2024:PHHC:023042  
CWP-2532-2024  
Date of Decision:20.02.2024

SATINDER KUMAR

....Petitioner

vs.

UNION OF INDIA AND ORS

....Respondent

CORAM: HON’BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Mandeep Kumar Dhot, Advocate  
for the petitioner

Mr. Hemant Hans, Central Govt. Counsel  
for the Union of India

Mr. Aman Dhir, DAG, Punjab

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JAGMOHAN BANSAL, J. (ORAL)

1. On 06.02.2024, the following order was passed by this Court:-

*“The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent No. 3 to re-issue him passport.*

*The petitioner was issued passport on 27.03.2007 which expired on 26.03.2017. An FIR No. 105 dated 26.12.2017, under Sections 341, 506, 34 of IPC and Sections 25, 27 of Arms Act was registered against the petitioner at Police Station Sherpur, District Sangrur. Challan stands presented in the afore-stated FIR. The petitioner applied for re-issuance of passport*

*on 23.05.2023 but till date, passport has not been issued to him.*

*Notice of motion, returnable for 20.02.2024.*

*Mr. Hemant Hans, Central Government Counsel for Union of India and Mr. Inderpreet Singh Kang, AAG, Punjab , who on advance notice are present in Court, accept notice and waive service.*

*Mr. Inderpreet Singh kang, AAG, Punjab seeks time to get instructions.*

*To be shown in the urgent list.”*

2.           Reply by way of affidavit dated 20.02.2024 of Talwinder Singh Gill, PPS, Deputy Superintendent of Police, Sub Division, Dhuri, District Sangrur, on behalf of respondent No. 4, is taken on record. Registry is directed to tag the same at appropriate place.
3.           From the reply, it comes out that police after completing investigation has already presented its report and charges stand framed. The petitioner, in terms of Notification No. 570 dated 25.08.1993 issued by Central Government, is required to approach trial court whereas he has directly approached this Court.
4.           Faced with this, counsel for the petitioner seeks permission to withdraw the instant petition with liberty to approach trial court.
5.           Dismissed as withdrawn with liberty as aforesaid. If the petitioner files an application before trial court, in terms of the aforesaid Notification, the same shall be decided, in accordance with law.

20.02.2024  
paramjit

(JAGMOHAN BANSAL)  
JUDGE

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