

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

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**2024:PHHC:018225
CWP No.2884 of 2024
Date of Decision:09.02.2024**

Binder Ram

....Petitioner

VS.

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Vaneet Thakur, Advocate and
Mr. B.S.Seemar, Advocate
for the petitioner

Mr. Amit Sharma, Senior Panel Counsel
for the Union of India

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent No. 2 to re-issue him passport.

2. The petitioner was issued passport on 01.05.2009 which expired on 30.04.2019. The petitioner left for Italy in 2009 and came back to India in February' 2014 for the purpose of marriage. The petitioner returned to Italy on 17.03.2014 after solemnizing marriage. On account of matrimonial discord, the wife of the petitioner lodged FIR No. 294 dated 08.06.2015, under Sections 406, 498-A of IPC at Police Station Sector-34, Chandigarh. The petitioner at the time of registration of afore-stated FIR was out of country and he was declared proclaimed person by JMIC, Chandigarh vide

order dated 14.12.2015. The trial court vide judgment dated 30.09.2022 has acquitted parents of the petitioner who were also accused in the afore-stated FIR. The petitioner is still staying out of country and he has filed CRM-M-57474 of 2023 before this Court seeking setting aside of order of proclamation as well as the FIR.

4. Mr. Vaneet Thakur, Advocate submits that while acquitting parents of the petitioner, the trial court has recorded findings qua petitioner also. He has filed petition before this Court seeking setting aside of proclamation as well as afore-stated FIR.

5. Mr. Amit Sharma, Senior Panel Counsel for Union of India submits that petitioner as on day is a proclaimed person and his passport expired in 2019. The passport authority would issue emergency travel documents if the petitioner applies for the same.

6. Counsel for the petitioner agrees with the aforesaid arrangements.

7. In the wake of statement of both sides, the petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

09.02.2024
paramjit

Whether speaking/reasoned: Yes
Whether reportable: No