

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

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**2024:PHHC:034797
CWP No. 4047 of 2024
Date of Decision:12.03.2024**

Varun Bansal

....Petitioner

VS.

Union of India and others

....Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Swarn Tiwana, Advocate
for the petitioner

Ms. Shweta Nahata, Senior Panel Counsel
for the Union of India

JAGMOHAN BANSAL, J. (ORAL)

1. On 22.02.2024, 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 respondents No. 2 and 3 to re-issue him passport.

The petitioner was issued passport which expired on 11.02.2019. Two FIRs have been registered against the petitioner. In FIR No. 89 dated 18.05.2013, the petitioner was convicted vide order dated 08.11.2019 passed by trial court and awarded sentence of two years. In FIR No. 47 dated 04.03.2016, the proceedings were stayed by this Court vide order dated 09.1.2018 passed in CRM-M-24173 of 2017. The said petition stands dismissed as withdrawn. The trial is still pending. The petitioner, for issuance of passport approached this court

which vide order dated 28.02.2022 directed to approach trial court.

The petitioner approached trial court in terms of Notification No. 570 dated 25.08.1993 which vide order dated 18.08.2023 returned a finding that Regional Passport Officer, Chandigarh is well empowered to order for re-issuance of passport subject to instructions provided in Notification dated 25.08.1993 and memorandum dated 10.10.2019. The Court further observed that mere pendency of criminal trial may not be considered a ground in itself to decline the request. The respondents vide impugned order dated 02.02.2024 (Annexure P-13) has directed the petitioner to get fresh order because order passed by trial court is not explicit in nature as required under the provisions of Notification dated 25.08.1993.

Notice of motion, returnable for 12.03.2024.

Ms. Shweta Nahata, Senior Panel Counsel for Union of India, who on advance notice is present in Court, accepts notice and waives service. She seeks time to get instructions.
To be shown in the urgent list.”

2. Ms. Shweta Nahata, Advocate, at the outset, submits that passport of the petitioner would be despatched within 10 days from today.
3. In the wake of statement of counsel for Union of India, the petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

12.03.2024
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No