

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

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Criminal Misc. No. M-10525 of 2024

Date of decision :-28.02.2024

Rajdeep Singh

.....Petitioner

Versus

State of U.T. Chandigarh and another

.....Respondents

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Bikram Singh Dhillon, Advocate
for the petitioner (through VC).

NIDHI GUPTA J. (Oral)

Prayer in this petition is for issuance of directions to the Judicial Magistrate 1st Class, Chandigarh for expeditious disposal of case bearing PCS/1043/2023 titled 'State of U.T. Chandigarh vs. Rajdeep Singh', which is pending before it for consideration on the Cancellation Report dated 05.05.2023 (Annexure P-5) filed on behalf of respondent No.1 in FIR No.52 dated 22.3.2021 (Annexure P-3) under Sections 354-A(1)(iv), 341 and 509 IPC, registered at Police Station Sector 36, Chandigarh.

Learned counsel for the petitioner *inter alia* submits that the petitioner is a commercial Pilot. However, due to the pendency of the present FIR, he is unable to fly for the past six months and has been grounded, and is only receiving 60% of his salary. It is further submitted that if the petitioner does not clock in the requisite number of flying hours during a time period, his license is liable to be cancelled

Notice of motion.

On asking of the Court, Mr. Akashdeep Singh, Addl. Public Prosecutor, UT Chandigarh accepts notice on behalf of respondent No.1-UT Chandigarh and informs that the cancellation report in the present case was filed on 01.7.2023 (Annexure P-5). Notice in the same was issued. However, the notice has been received back unserved and thereafter the Presiding Judge remained on leave and now the matter is fixed for hearing on 22.3.2024.

In view of the fact that because of pending consideration on the Cancellation Report filed in the FIR in question before the learned Magistrate, the process of issuance of the requisite Airport Entry Pass (AEP) by the Bureau of Civil Aviation Security (BCAS) to the petitioner is on hold for the last over four months and until the requisite Airport Entry Pass (AEP) is issued to the petitioner by the Bureau of Civil Aviation Security (BCAS), the petitioner cannot be permitted to fly any aircraft in his current employment anywhere within or outside India, the present petition is being **disposed of** with a direction to the learned Judicial Magistrate 1st Class, Chandigarh to adjudicate the Cancellation Report (Annexure P-5) within four weeks after next date of hearing i.e. 22.3.2024.

February 28, 2024

Vijay Asija

(**NIDHI GUPTA**)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No