

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111

CWP-5198-2024
Date of Decision: 04.03.2024

Jaskaran Singh @ Kalu @ Jaskaranjit Singh ...Petitioner

Versus

Union of India and another ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Lakhwinder Singh Mann, Advocate for the petitioner
Ms. Shreyansi Verma, Central Govt. Counsel,
for Union of India-respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 02.03.2023 (Annexure P-7) whereby his application for re-issuance of passport has been rejected.
2. Learned counsel for the petitioner *inter alia* contends that petitioner was embroiled in FIR No.102 dated 26.05.2011 under Sections 323, 324, 452, 506 & 34 of Indian Penal Code, 1860 (for short 'IPC') registered at Police Station Nakodar, District Jalandhar City. He entered into compromise with the complainant and left the country in 2012. He was declared proclaimed offender while he was out of country. He has filed CRM-M-7416-2024 before this Court seeking setting aside of order whereby he has been declared proclaimed offender. The petitioner has been directed to appear

before the Trial Court on or before 20.03.2024. In the absence of re-issuance of his passport, he cannot come to India. If he is issued emergency certificate, it would entail forfeiture of his passport/visa.

3. Notice of motion.

4. Ms. Shreyansi Verma, Advocate who on advance notice is present in Court, submits that police after completing investigation has presented its report under Section 173 Code of Criminal Procedure, 1973 (for short ‘Cr.P.C.’) thus, petitioner has remedy to approach the Trial Court for the issuance of passport.

5. Faced with this, learned counsel for the petitioner submits that the Trial Court may be directed to decide his application expeditiously.

6. In the wake of statement of both sides, the present petition stands disposed of with liberty to the petitioner to approach the Trial Court. If he files an application in terms of Notification No.570 dated 25.08.1993, the Trial Court is requested to decide his application expeditiously and preferably within one week.

(JAGMOHAN BANSAL)
JUDGE

04.03.2024
Manoj

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