

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

267

CWP-5835-2024 (O&M)
Date of decision:12.09.2024

JATINDER SINGH MANGATPetitioner

VERSUS

STATE OF PUNJAB AND OTHERSRespondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: - Mr. Jaskaran Singh, Advocate
for the applicant-petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

Mr. Karan Kumar Jund, Senior Panel Counsel
for respondent No.3-Union of India.

VINOD S. BHARDWAJ, J. (Oral)

CM-10974-CWP-2024

The instant application has been filed under Section 151 of the Code of Civil Procedure, 1908 for pre-poning the date of hearing of the main case which is otherwise fixed for 06.11.2024.

Learned Counsel for the petitioner submits that FIR No. 14 dated 16.03.2019 under Section 406/498-A of the I.P.C. Police Station N.R.I. Ludhiana was registered against the petitioner, however, a

cancellation report has since been filed and he prays for pre-poning of the date of hearing of the main case.

Learned Counsel appearing on behalf of the respondents have no objection to the aforesaid prayer being allowed.

In view of the above, the present application is allowed and the main case is taken up on Board today itself.

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Prayer in the present writ petition is for directing the respondent No. 2 to issue a Police Clearance Certificate to the petitioner at the earliest.

2. Reply by way of affidavit of Jasbinder Singh, PPS, Assistant Commissioner of Police, Industrial Area-A, Ludhiana, District Police Commissionerate, Ludhiana had been filed. It has been averred in the said reply that there was a matrimonial dispute between the petitioner and his wife Kamaljit Kaur on account whereof FIR No.14 dated 16.03.2019 had been registered under Section 406 and 498-A of the IPC at Police Station, NRI City, Ludhiana. It is also averred that the petitioner submitted a representation dated 10.03.2023 for conducting a fair investigation and one CRM-M-42661 of 2023 for seeking directions to the official respondents was also filed. Since he had applied for the Police Clearance Certificate on 15.06.2023 and as investigation in the matter was pending, the Police Clearance Certificate was not issued. It was informed that now cancellation report has been filed in the aforesaid FIR before the trial Court which is pending consideration and the same is yet to be accepted.

Learned Counsel appearing on behalf of respondent No. 3- Union of India submits that the petitioner had already submitted an

application to the said respondent in relation to PCC File No. CHJ086887322423 requesting for closure of his PCC application file in view of the subsequent developments and with a liberty to apply for new PCC with proper proofs and proper documents.

In view of the aforesaid developments and the application having been submitted by the petitioner to the Regional Passport Officer, Chandigarh on 09.01.2024, the present writ petition is disposed of as having been rendered infructuous at this stage. Liberty is, however, granted to the petitioner to move a fresh application before the Regional Passport Officer, Chandigarh.

(VINOD S. BHARDWAJ)
JUDGE

SEPTEMBER 12, 2024
Vishal Sharma

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No