

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CWP-6910-2024
Date of Decision : 03.04.2024

AJAY SINGH AND OTHERS ... PETITIONERS

Versus

UNION OF INDIA AND OTHERS ... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Ms. Neeru Bansal, Advocate for
Mr.Neeraj Goel, Advocate
for the petitioners.

Mr. K.K.Jund, Sr. Panel Counsel for
Ms. Simran Grewal, Advocate
for the respondent-UOI.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to respondents No. 1 and 2 to re-issue them passport.
2. The petitioners were embroiled in FIR No. 248 dated 24.05.2016, under Sections 498A, 406, 323, 312, 506 read with Section 34 of IPC, registered at Police Station Sadar Thanesar. They were convicted under Section 498-A of IPC by trial court vide judgment dated 31.10.2019. As per Section 6(2) of the Passport Act, 1967, passport cannot be issued to a person who has been subjected to punishment of two years or more within five years prior to filing application seeking passport.

3. Learned counsel for the petitioners submits that the petitioners have been convicted under Section 498-A of IPC and offence punishable under said Section does not involve moral turpitude.
4. Mr. K.K.Jund, Sr. Panel Counsel submits that 05 years period from the date of conviction has not passed, however, passport authority would consider claim of the petitioner that offence punishable under Section 498-A of IPC does not involve moral turpitude and pass an appropriate order within 08 weeks from today.
5. In the wake of statement of learned counsel for the respondent-UOI, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

03.04.2024
anju

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>