

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

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**2024:PHHC:047906
CWP No.8044 of 2024
Date of Decision:09.04.2024**

Rahul Sahni

....Petitioner

VS.

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. G.S.Ghuman, Advocate and
Mr. Atul Kumar, Advocate
for the petitioner

Mr. Kinshuk Nanda, Central Govt. Counsel
for the Union of India

Mr. Aman Dhir, DAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking direction to respondents to re-issue his passport.

2. The petitioner was issued passport on 21.04.2022 which expired on 20.04.2023. The petitioner was embroiled in two FIRs bearing Nos. 331 of 2020 under Sections 336, 506 of IPC and Sections 25, 27, 54, 59 of Arms Act and FIR No. 156 dated 02.05.2020, under Sections 188, 269 of IPC registered Police Station Division No. 8, Ludhiana. The police after completing investigation filed its report under Section 173 Cr.P.C. The trial is pending against the petitioner. The petitioner applied for re-issuance of

of passport on 28.02.2024, however, till date passport has not been issued to him.

3. Notice of motion.

4. Mr. Kinshuk Nanda, counsel for Union of India, who on advance notice is present in Court, submits that concededly, criminal proceedings are pending against the petitioner, thus, case of petitioner is squarely covered by Section 6 (2) (f) of the Act. The Government by Notification No. 570 dated 25.08.1993 has permitted applicants to get passport, subject to permission granted by trial court, thus, petitioner is bound to get permission from trial court.

5. The petitioner failed to controvert applicability of aforementioned notification to his case.

6. The petition stands disposed of with liberty to petitioner to file fresh application before trial court which considering the aforesaid Notification shall decide application of the petitioner.

(JAGMOHAN BANSAL)
JUDGE

09.04.2024
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No