



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

120

CRM-M-36022-2024

Date of decision: 29.07.2024

Rakesh Kanwar

.....Petitioner

Versus

Regional Passport Officer, Chandigarh and anr.

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rajhesh Garg, Sr. Advocate with
Ms. Latika Garg, Advocate for the petitioner.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking issuance of directions to the respondents to renew the validity of his passport for a period of 10 years as directed by learned Special Judge, CBI Court, Chandigarh vide order dated 21.03.2024 (Annexure P-3) and for quashing letter/order dated 14.07.2024 (Annexure P-6) in case titled as 'Central Bureau of Investigation Vs. Ashu Mehra and others' in FIR/RC No.RCBD12016E0007 dated 08.08.2016 under Sections 120-B read with Sections 409 and 420 of the IPC, Section 13(2) read with Section 13(1)(d) of the PC Act, 1988 and Sections 66, 66C and 66D read with Section 43 of the IT Act, 2000.

2. At the outset, learned senior counsel for the petitioner prays for deletion of name of respondent No.2 from the array of parties.

3. On his oral request, name of respondent No.2 is ordered to be deleted from the array of parties. The Registry is directed to do the



CRM-M-36022-2024

needful.

4. Learned senior counsel for the petitioner has drawn the attention of this Court to Annexure P-5 which is a communication addressed to the Reader of the learned Special Judge, CBI Court, Chandigarh seeking clarification regarding order Misc. Application No.20 of 2024 in P.C. No-3 of 2020. Learned senior counsel has submitted that while passing the impugned order (Annexure P-6) the CBI Court had erred in clarifying a judicial order on the administrative side. It has been argued that in case respondent No.1 required any clarification, it could have been sought only by way of an appropriate application in accordance with law on the judicial side.

5. I have heard learned senior counsel for the petitioner and perused the relevant material on record.

6. In the circumstances, impugned order dated 14.07.2024 (Annexure P-6) is quashed.

7. Liberty is, however, granted to respondent No.1 to move an appropriate application under the provisions of law, before the learned CBI Court, Chandigarh if so advised, which will then proceed to decide it/clarify it in accordance with law.

8. The instant petition stands disposed of in the above terms.

29.07.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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