



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-19627-2024 (O&M)
Date of Decision : 27.08.2024

Sher Singh

.. Petitioner

Versus

Union of India and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. L.M. Gulati, Advocate
for the petitioner.

Mr. Prajwal Chauhan, Advocate
for respondents No. 1 to 3-UOI.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present petition, the grievance being raised by the petitioner is that he had applied for the passport, which benefit has not been extended to him only on the ground that the petitioner is involved in case FIR No. 64 dated 17.04.2017, under Sections 379, 447, 427, 506, 34, 411, 201 of IPC, registered at Police Station Lalru, District SAS Nagar Mohali.
2. Learned counsel for the petitioner submits that in the challan presented under Section 173 Cr.P.C. in the said FIR, the petitioner has not been challaned, which clearly shows that the petitioner has nothing to do with the FIR in question and he has already been found innocent by the Investigating Agency but, still merely because the petitioner was named in the FIR, the adverse report is being considered without taking into

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consideration the actual fact including the challan submitted in the said FIR.

3. Notice of motion.

4. Mr. Prajwal Chauhan, Advocate accepts notice on behalf of respondents No. 1 to 3-UOI, and submits that though the adverse report had been received that the petitioner is involved in the FIR in question but after the submission of the challan the petitioner never approached the authority concerned and, in case, the petitioner files an representation, his earlier application will be reopened and appropriate order on the same will be passed within a period of eight weeks from the date of the receipt of certified copy of this order by passing an appropriate speaking order and in case, it is found that the petitioner is entitled for the grant of benefit of passport, the same will be extended to him, otherwise due reasons for not accepting the claim of the petitioner will be mentioned in reply to his representation.

5. Learned counsel for the petitioner submits that keeping in view the statement of the learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

27.08.2024*Satyawan***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No