



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Sr. No. 254 CRM-M-42411-2024(O&M)
Date of Decision:04.10.2024
SARWAN SINGH ...PETITIONER

VERSUS

STATE OF PUNJAB ...RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Dr. Sumati Jund, Advocate
for the petitioner (Through VC).
Mr. Jasjit Singh, DAG, Punjab
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ANOOP CHITKARA, J.(ORAL)

FIR No.	Dated	Police Station	Sections
26	22.04.2007	Rangur Nangal District Gurdaspur	323 of the Indian Penal Code

1. Seeking permission to apply for issuance of passport before the Passport Authority in view of the office memorandum dated 10.10.2019 (Annexure P-2) and the judgment passed by this Court in CRM-33998-2022 in CRA-S-4122-SB-2024, titled as "Davinder Singh and others vs. State of Punjab" on 10.01.2024, the petitioner has come up before this Court under Section 482 CrPC.
2. Vide order dated 10.01.2024 passed by co-ordinate Bench of this Court in CRM-33998-2022 in CRA-S-4122-SB-2014 permission was granted to apply for issuance of a Passport before the Passport Authority.
3. I have heard counsel for the parties and gone through the record.
4. Petitioner was arraigned as an accused in the above captioned FIR. In the said FIR, the petitioner was convicted and sentenced to undergo rigorous imprisonment for 01 year under Section 323 IPC. Challenging the



CRM-M-42411-2024 -2-

conviction vide judgment/order of sentence dated 19.09.2014 passed by Additional Sessions Judge, Gurdaspur, the petitioner filed an appeal CRA-S No.4122-SB-2014 before this Court, which is pending and sentence of petitioner was suspended vide order dated 17.10.2014.

5. Since this Court seems that a large number of criminal appeals are pending before this Court and the turn of criminal appeal filed in the year 2014 is not likely to come very soon. In case, petitioner files application for issuance of passport, pendency of appeal would not come in his way.

6. Given above, present petition stands disposed of with clarification that pendency of criminal appeal and conviction of petitioner shall not come in the way of petitioner or authority while issuing new passport to petitioner. All pending applications, if any, stand disposed.

**(ANOOP CHITKARA)
JUDGE**

**04.10.2024
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Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No