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IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH.

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CWP-23919-2023 (O&M).
Date of Decision: 05.12.2024.

BALJINDER SINGH

... Petitioner(s)

Versus

UNION OF INDIA AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Paramjit Singh Jammu, Advocate,
for the petitioner.

Mr. Parvesh Saini, Advocate,
for respondents No.1 to 3.

Mr. Raghav Garg, AAG, Punjab,
for respondents No.4 to 6.

VINOD S. BHARDWAJ, J. (ORAL)

Petitioner has approached this Court for restraining the respondents from detaining the petitioner on the pretext of search and seizure unnecessarily and without any criminal acts/financial default.

2 Learned counsel for the petitioner contends that the petitioner is settled in France for employment purposes and is a permanent resident of village Killi, Tehsil Shahkot, District Jalandhar. He occasionally visits his

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native village. Whenever, the petitioner arrives, he is allowed to arrive smoothly at the Indira Gandhi International Airport, Delhi but at the time of departure, he is usually detained for hours together without any sufficient reasons. It is averred that there seems to be some wrong entry in the records and the softwares of the respondents-Union of India as he is stooped on each and every occasion, although the petitioner is permitted to work abroad, however, on various occasion he has missed the flight since the interrogation takes about 3-4 hours. Numerous attempts have been made by the petitioner to the local police also to seek police clearance so that he is not harassed and humiliated during his departure, however, no action has been taken.

3 A short reply by way of affidavit of Amandeep Singh, PPS, Deputy Superintendent of Police, Sub Division, Shahkot, Jalandhar has been filed on behalf of respondents No.4 to 6. A copy thereof has been supplied to the learned counsel for the petitioner. It has been specifically averred in the short affidavit that neither any FIR has been registered against the petitioner nor he is required in any criminal case. It is also stated that the State of Punjab had never sought any restraint against the petitioner.

4 Learned counsel for respondents No.1 to 3 contends that the Bureau of Civil Aviation has been wrongly impleaded as a party and that Bureau of Immigration is required to be impleaded for the correct information.

5 Taking into consideration the totality of the circumstances and going through the specific observations made in the short reply qua the

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petitioner not being involved in any criminal case or any financial fraud and that no look out circular being issued by any agency against the petitioner, the possibility of the apprehension expressed by the petitioner about some erroneous entry having been made by the Bureau of Immigration, cannot be ruled out.

6 The present petition is disposed of, at this juncture, with liberty to the petitioner to approach the Bureau of Immigration, Ministry of External Affairs, for seeking appropriate rectification in their record.

7 Needless to mention that in the event of the petitioner not being required and there being any error in entry/description made in their record, the necessary correction shall be carried out within a period of 04 months of receipt of such a representation moved by the petitioner.

December 05, 2024.	(VINOD S. BHARDWAJ)
raj arora	JUDGE
<i>Whether speaking/reasoned</i>	<i>: Yes/No</i>
<i>Whether reportable</i>	<i>: Yes/No</i>