

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

101

**2024:PHHC:001561
CWP No.27712 of 2023
Date of Decision:09.01.2024**

Vikramjeet Singh

....Petitioner

VS.

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Kushagra Beniwal, Advocate
for the petitioner

Mr. Amit Sharma, Senior Panel Counsel
for the Union of India

Mr. Raman Sharma, Addl. A.G.Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. On 11.12.2023, the following order was passed by this Court:-

“The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents No. 1 and 2 to re-issue his passport.

Learned counsel for the petitioner inter alia contends that FIR No. 85 dated 25.10.2014, under Sections 148, 149, 302, 323, 324 of IPC was registered against the petitioner at Police Station Babain, District Kurukshetra. The petitioner was juvenile at the time of registration of FIR. The petitioner was acquitted vide judgment dated 17.05.2019. The State filed appeal before this Court against the petitioner as well as co-accused. CRM-A-388 of 2019 is still pending before this Court. The co-accused has already been issued passport,

however, petitioner has been denied passport on the ground that there is adverse police verification report.

*This Court in **Mohan Lal @ Mohna vs. Union of India and others 2023 SCC Online P&H 1391** has issued various directions to passport authorities with respect to pending criminal cases vis a vis applications seeking passport. This Court vide order dated 13.09.2023 passed in CWP No. 19314 of 2020 has directed the passport authority as well as police authorities to prepare police verification report in the proforma enclosed with the order.*

From the perusal of notice dated 10.10.2023 (Annexure P-5), it transpires that respondents have not implemented aforesaid orders passed by this Court.

Notice of motion, returnable for 09.01.2024.

Mr. Amit Sharma, Senior Panel Counsel for Union of India and Mr. Raman Sharma, Additional Advocate General, Haryana, who on advance notice are present in Court, accept notice and seek time to get instructions.

To be shown in the urgent list.”

2. Mr. Raman Sharma, Addl. A.G.Haryana, asserts that order dated 13.09.2023 passed by this Court in CWP No.19314 of 2020 has not been circulated to field staff, thus, police officials are still sending report as per old proforma.

3. Mr. Amit Sharma, Senior Penal Counsel for Union of India submits that the application of the petitioner, in view of judgment of this Court in **Mohan Lal @ Mohna (supra)** would be considered and disposed of within six weeks from today.

4. In the wake of statement of counsel for Union of India, the instant petition stands disposed of.

5. Before parting with this order, this Court would hasten to add that despite specific orders passed in **Mohan Lal @ Mohna (supra)** as well as order dated 13.09.2023 in CWP No. 19314 of 2020, the State authorities have not started sending police verification report in the prescribed proforma. The passport authorities are also not asking the police officials to send their report in the prescribed proforma. This Court passed afore-stated orders to avoid undesired litigation. Neither passport authorities nor the police authorities are interested to avoid litigation. The passport authorities are directed to implement the aforesaid orders in letter and spirit. If the authorities in future fail to implement the afore-stated orders, they would be hauled up in contempt proceedings.

(JAGMOHAN BANSAL)
JUDGE

09.01.2024
paramjit

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