



113 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-32136-2024

Date of decision : 28.11.2024

Resham Singh

...Petitioner

Vs.

Union of India and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Brijeshwar Singh Bhalla, Advocate
for the petitioner.

Ms. Sehaj Sandhawalia, Advocate
for respondents No. 1 and 2.

ANIL KSHETARPAL, J. (Oral)

1. The petitioner prays for issuance of a writ in the nature of mandamus directing the respondent-Passport Authority to issue him passport.
2. Learned counsel representing the petitioner submits that the petitioner was convicted in FIR No. 88, dated 27.09.2011, under Sections 21/61/85 NDPS Act and sentenced to imprisonment for a period of three years. However, his sentence was suspended during the pendency of the appeal, which is still pending. It has further been disclosed that the petitioner was also involved in FIR No. 77, dated 03.02.2017, under Sections 21/22/61/85 NDPS Act but he has been acquitted on 23.07.2019 and in FIR No. 150 of 2001, registered under Section 379 IPC, the petitioner was acquitted on 18.12.2006.
3. Learned counsel representing the petitioner relies upon the judgment passed in 'Mohan Lal @ Mohna vs. Union of India and others'

2003(3) RCR (Civil) 772.

4. Learned counsel representing the respondents who has entered appearance pursuant to supply of advance copy of the writ petition submits that the petitioner has been requested to file an affidavit to the effect that his sentence stands suspended.
5. Learned counsel representing the petitioner submits that he went to the office of the Regional Passport Office (hereinafter referred to as ‘RPO’) alongwith an affidavit dated 05.11.2024, however, he was not permitted to file the same.
6. Learned counsel representing the respondents submits that the petitioner can revisit the office of RPO, Amritsar on 02.12.2024 at 11.00 A.M. alongwith a copy of the affidavit, which shall be allowed to be filed. The RPO will thereafter process the petitioner’s request for passport and pass appropriate orders in accordance with law within next two weeks.
7. With these observation, the petition is disposed of.

28.11.2024
neeraj

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No