

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 32798 of 2024

Date of Decision: 18.12.2024

Jaskarandeep Singh Benipal
... Petitioner(s)

Versus

Union of India and Others
... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Prabhadeep Singh Toor, Advocate
for the petitioner(s).

Mr. Ashutosh Dhankar, Advocate
for respondents No.1 to 3.

Mr. Manmeet Singh Teji, Assistant Advocate General,
Punjab, for respondent No.4.

Anil Kshetarpal, J.

1. The learned counsel representing the parties state that they have no objection to issuance of similar order as passed in *Deepinder Singh v. Union of India (Civil Writ Petition No. 15346 of 2024, decided on 09.08.2024)*, which reads as under:-

- “1. The present petition is for issuance of a writ in the nature of mandamus directing respondent Nos.2 and 3 to re-issue the Passport of the petitioner.
2. Learned counsel for the respondents-Union of India has submitted that he has instructions that an adverse Police Verification Report has been received by the authorities and therefore, the matter cannot proceed.

3. *Learned State counsel has pointed out that although the petitioner was declared innocent and was kept in column No.2 in the challan presented on 10.01.2021, however, an application under Section 319 of Cr.P.C. is pending, which is fixed for 27.08.2024.*

4. *Learned counsel for the respondents-Union of India fairly submits that the ends of justice would be met if the power of attorney holder of the petitioner is directed to appear before the concerned officials in India and petitioner is directed to appear before the Indian Consulate at Canada and file his undertaking that in case the application under Section 319 of Cr.P.C. is allowed, the petitioner would join the proceedings and take appropriate steps, in accordance with law for which his Passport shall be considered to be renewed for a limited period. More so, the petitioner is also bound down to inform his address, telephone number and e-mail address to the concerned authorities, so that in case the petitioner has to face the criminal proceedings the same be not procrastinated and delayed for non-availability of the petitioner. The petitioner shall also undertake that he will join the proceedings without any delay or demur and shall seek his remedy, in accordance with law.*

5. *In light of the above, the power of attorney of the petitioner shall appear before the authorities within one week from today and shall send a request to the Indian Consulate at*

Canada to call upon the petitioner to appear before them within one week thereafter and comply with the above conditions and/or any other conditions which the authorities deem appropriate to impose and consider the application of the petitioner for renewal of his Passport for limited period.

6. *With the above observations, the present petition is disposed of.”*

2. Ordered accordingly.

(Anil Kshetarpal)
Judge

December 18, 2024
“DK”

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