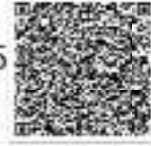


2025:PHHC:012185



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

CWP-2114-2025

Date of Decision: 27.01.2025

Nachhatar Singh

..... Petitioner

Versus

Union of India and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Tajinder Pal Singh Makkar, Advocate
for the petitioner,

Ms. Monica Chawla, Advocate
for the respondent/Union of India.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Mandamus to direct respondent No.2 to re-issue the passport of petitioner.

2. Briefly, petitioner was issued passport bearing No.M5106402, which got expired on 01.01.2025.

2.1 It appears that the petitioner applied for renewal/re-issuance of the passport on 11.09.2024, whereupon letter dated 01.10.2024 (Annexure P-3) was issued by the Regional Passport Office, Jalandhar, seeking clarification from the petitioner regarding case bearing FIR No.74 dated 23.05.2017, registered at Police Station Makhu, District Ferozepur.

Apparently, petitioner never responded to the said letter dated 01.10.2024 (Annexure P-3).

2.2 It transpires that the petitioner was declared proclaimed offender in the said FIR No.74 dated 23.05.2017, vide order dated 03.06.2023 (Annexure P-5) passed by the learned Judicial Magistrate Ist Class, Zira. Thereafter, petitioner filed a petition bearing CRM-M No.61014 of 2024 before this Court, seeking setting aside of the aforesaid order dated 03.06.2023 (Annexure P-5); which came to be disposed of vide order dated 05.12.2024 (Annexure P-7), thereby setting aside order dated 03.06.2023 (Annexure-5) and further directing the petitioner to appear and surrender before the concerned Court.

3. Learned counsel for the petitioner submits that in pursuance of order dated 05.12.2024 (Annexure P-7) passed by this Court, petitioner has already appeared before the trial Court and presently, the case is at the stage of prosecution evidence.

4. Learned counsel for the respondent/Union of India submits that since FIR No.74 dated 23.05.2017 is pending trial against the petitioner before the trial Court; accordingly, he is required to submit an order from the concerned Court, permitting him to depart from India, in terms of the Government Instructions issued vide G.S.R. 570(E) dated 25.08.1993

5. Faced with this situation, learned counsel for the petitioner submits that he may be permitted to withdraw the instant writ petition with liberty to the petitioner to approach the concerned Court where the trial is pending against him in FIR No.74 dated 23.05.2017, so as to seek permission to depart from India in terms of the Government Instructions issued vide G.S.R. 570(E) dated 25.08.1993.

6. Keeping in view the aforesaid submissions made by learned

counsel for the parties, the present writ petition is dismissed as withdrawn with the liberty aforesaid.

7. All the pending application(s), if any, shall also stand closed.

27.01.2025
Apurva

(HARSH BUNGER)
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No