

2025:PHHC:014896



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

CWP-2632-2025

Date of Decision: 31.01.2025

Nitin Kumar @ Nitin Kumar Garg

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Anil Mehta, Advocate
for the petitioner,

Mr. Karan Kumar Jund, Senior Panel Counsel,
Union of India, for 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 return the passport of petitioner (Passport No.Y3535966) issued on 10.06.2024 (Annexure P-3), which was surrendered by him in light of the fact that FIR No.174 dated 13.10.2023 (Annexure P-4) was pending trial against him.

2. Mr. Karan Kumar Jund, Senior Panel Counsel, Union of India appears on behalf of the respondent/Union of India, in pursuance of the advance copy of paper book having already been supplied to him, and informs the Court that the instant writ petition is pre-mature as the petitioner has already been issued Show Cause Notice dated 05.07.2024 seeking

clarification as to why his passport be not impounded under Section 10(3)(b) (e) of the Passports Act, 1967; however, the petitioner has not responded to the said notice, till date.

3. On the other hand, learned counsel for the petitioner contends that no such notice has ever been served upon the petitioner.

4. Learned counsel for the respondent/Union of India, without joining any issue as regards the fact that whether the aforesaid Show Cause Notice has been served upon the petitioner or not; has handed over a copy of Show Cause Notice to learned counsel for the petitioner, in Court today itself.

5. Accordingly, learned counsel for the petitioner submits that he may be permitted to withdraw the instant writ petition at this stage with liberty to the petitioner to respond to the said Show Cause Notice as well as to avail his other remedies, in accordance with law.

6. Ordered accordingly.

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

31.01.2025*Apurva***(HARSH BUNGER)
JUDGE**

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No