

**CWP-5878 of 2025****-1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CWP-5878 of 2025
Date of Decision: March 24, 2025****Jaspreet Singh through Special Power of Attorney****..... Petitioner****Versus****Union of India and others****.... Respondents****CORAM: HON'BLE MR. JUSTICE HARSH BUNGER**

Present: - Ms. Rozy Bhardwaj, Advocate
for the petitioner.

Mr. Amit Sharma, Senior Panel Counsel
for the respondent Nos. 1 to 3.

Mr. Navneet Singh, Senior DAG, Punjab
for respondent Nos. 4 & 5.

**********HARSH BUNGER, J. (ORAL)**

1. The prayer in the present petition filed under Articles 226/227 of the Constitution of India is for issuance of a writ in the nature of Mandamus for directing respondent Nos. 1 to 3 to renew/re-issue passport of the petitioner.

2. Mr. Amit Sharma, learned Senior Panel counsel for the respondents-Union of India appears on behalf of the respondents on advance copy of paper book having already been supplied to him. He submits that there is an adverse verification report against the petitioner as he is an accused in a cross version (DDR No. 28 dated

05.04.2022, registered under sections 324,34 IPC, Police Station Rahon) recorded in FIR No.26 dated 16.02.2022.

2.1 Learned counsel for the respondent Nos. 1 to 3 further submits that since no further instructions are forthcoming from the police authorities, accordingly the application submitted by the petitioner for renewal/re-issue of the passport is pending.

3. At this stage, learned State counsel has handed over a copy of an order dated 06.07.2024 passed by the Additional Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar, the relevant extract whereof reads as under:-

“Complainant Davinder Kumar @ Labhi and injured/victim Bhupinder Nangal suffered their joint statement on 09.03.2024 that Davinder Kumar @ Labhi is complainant of DDR no. 28 dated 05.04.2022, registered under Sections 324, 34 IPC, PS Rahon cross versions in FIR No. 26 dated 16.02.2022 registered at police station Rahon under sections 307,323,324,341,148,149 IPC and Bhupinder Nangla is victim/injured in this DDR. They have brought their original aadhaar cards with them and the copy of aadhaar card of Davinder Kumar @ Labhi is annexure A and copy of aadhaar card of Bhupinder Nangla is annexure B. They do not agree with the cancellation report presented by the police authority in DDR no. 28.

Further, HC Jarnail Singh, No.487/SBSN, present and identified Complainant-Davinder Kumar @ Labhi and injured/victim Bhupinder Nangla, vide his separate statement on the said date.

In view of the aforesaid statement of the complainant, the cancellation report submitted by the

police is not accepted and the same is ordered to be returned back to the quarter concerned for further investigation. The original cancellation report along with the copy of the final order be sent to the SHO concerned for further compliance. Judicial papers be separated and consigned to the record room after due compliance.”

3.1 By referring to above extracted order dated 06.07.2024, learned State counsel submits that the cancellation report was submitted in cross version (DDR No.28 dated 05.04.2022) in FIR No. 26 dated 16.02.2022, however, the same was not accepted by the Court and the matter has been returned to the quarter concerned for further investigation, which is stated to be still pending.

4. Keeping in view the aforesaid statement made by learned State counsel, learned counsel for the petitioner submits that in the aforementioned circumstances, the case of the petitioner would be covered by a judgment passed by a co-ordinate Bench of this Court in **Mohan Lal @ Mohna Vs. Union of India 2023 (3) RCR (Civil) 772** wherein it has been held that mere registration of FIR is not sufficient whereas the Court must have taken cognizance.

5. Learned counsel for the respondent Nos. 1 to 3 has not disputed the aforementioned position and submits that the passport application of the petitioner would be considered in the light of the decision rendered in the case of **Mohan Lal @ Mohna's case (supra)** and a final decision thereon shall be taken by the authorities within a period of eight weeks from today.

6. In view of the aforesaid submissions made by learned counsel for the parties, the present writ petition is disposed of with a direction to the respondent Nos. 1 to 3 to consider the application of the petitioner in light of the judgment rendered by a co-ordinate Bench of this Court in the case of **Mohan Lal @ Mohna’s case (supra)** within a period of eight weeks from today.
7. All pending application(s), if any, shall also stand closed.

(**HARSH BUNGER**)
JUDGE

March 24, 2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No