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

**CWP-7305-2025 (O&M)
Date of Decision: 02.04.2025**

Gurcharan Singh

....Petitioner

Versus

Union of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Ankit Sharma, Advocate
for the petitioner.

Ms. Komal Preet Chauhan, Senior Panel Counsel
for respondents No.1 and 2/Union of India.

Mr. Navneet Singh, Senior D.A.G., Punjab.

HARSH BUNGER, J. (Oral)

At the outset, learned counsel appearing for respondents No.1 and 2/Union of India submits that she does not intend to file reply and the matter may be heard on merits.

2. Petition herein is, *inter alia*, for issuance of a writ in the nature of Mandamus to direct respondents No.2 to 4 to immediately provide the Police Clearance Certificate to the petitioner.

3. Learned State counsel on instructions from ASI Mukhtiar Singh, Police Station Jamalpur, Ludhiana, submits that one case FIR No.16, dated 25.03.2024, under Sections 406, 420 and 120-B of the Indian Penal Code is registered against the petitioner at Police Station NRI, District Ludhiana and the matter is still under investigation.

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4. Learned counsel for the petitioner submits that keeping in view the aforesaid submissions made by learned State counsel, the case of petitioner herein is squarely covered by the judgment passed by a co-ordinate Bench of this Court in ***“Mohan Lal @ Mohna Vs. Union of India and others”, 2023 (3) RCR (Civil) 772***, wherein it was held that mere registration of an FIR is no bar for consideration of application seeking issuance of the passport and the trial Court must have taken cognizance of the matter.

5. At this stage, learned counsel for respondents No.1 and 2/Union of India submits that since the charges have not been framed against the petitioner, accordingly the application submitted by the petitioner for issuance of passport would be considered by the concerned passport authorities in the light of decision rendered in ***Mohan Lal @ Mohna’s*** case (*supra*) and a final decision thereon be taken within a period of six weeks from today.

6. Keeping in view the aforesaid submissions made by learned counsel for the parties, the instant writ petition is disposed of with a direction to respondents No.1 and 2/concerned authority to consider and decide the application for issuance of passport submitted by the petitioner in the light of judgment rendered by a co-ordinate Bench of this Court in ***Mohan Lal @ Mohna’s*** case (*supra*) within a period of six weeks from today.

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

02.04.2025*Himani***(HARSH BUNGER)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No