

2025:PHHC:117114



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

**CM-10033-CWP-2025 in/and
CWP-11417-2025
Date of Decision: 29.07.2025**

Khushpreet Singh

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Sahibjeet S.Sandhu, Advocate,
Ms. Ishani Goyal, Advocate and
Mr. Deepak K.Bishnoi, Advocate
for the petitioner.

Mr. Himanshu Bindal, Advocate
for respondents No.1 and 3.

HARSH BUNGER J. (ORAL)

CM-10033-CWP-2025:

Prayer in the present application is for placing on record the certified copies of the petitioner's acquittal orders dated 09.06.2023, 01.08.2022 and 19.09.2023 along with the report dated 31.05.2021 passed in favour of the petitioner, as Annexures P-8 to P-11, respectively.

For the reasons mentioned in the application, the petitioner's acquittal orders dated 09.06.2023, 01.08.2022 and 19.09.2023 along with the report dated 31.05.2021 passed in favour of the petitioner, are taken on

record, as Annexures P-8 to P-11, respectively, subject to all just exceptions.

Application is accordingly disposed of.

CWP-11417-2025:

Petition herein is, *inter alia*, for issuance of a writ in the nature of Certiorari for setting aside order dated 05.03.2024 (Annexure P-5) passed by the Regional Passport Officer, Chandigarh, whereby the passport bearing No.B6621426, issued to the petitioner on 11.10.2023, has been impounded.

2. Briefly, the petitioner was earlier issued passport bearing No.S5907525 on 17.07.2018, which expired on 17.05.2023. Thereafter, the petitioner applied for renewal of his passport, whereupon, a fresh passport bearing No.B6621426 was issued on 11.10.2023, on the basis of Post-Police Verification.

2.1 It appears that pursuant to an adverse Police Verification Report, a Show Cause Notice dated 06.12.2023 was issued to the petitioner, seeking clarification with respect to the various FIRs registered against him. Relevant extract thereof reads as under:-

“We have received an adverse police verification report corresponding to your application to Passport with the number CH3078664542423 dated 11/10/2023. You may recall that a passport bearing passport number B6621426 dated 11/10/2023 was dispatched to you by this office on the basis of your application dated 11/10/2023

NOT RECOMMENDED THE APPLICANT AGAINST FIR NO 248 DATED 2-1-2021 U/S 379/411/483 IPC PS DIRBA (ACQUITTED ON DATE 9-6-2023), FIR NO 196 DATED 15-7-2018 U/S 379 IPC PS CITY SANGRUR (ACQUITTED ON DATE 1-8-2022), FIR NO 189 DATE 6-12-2021 U/S 454, 380, 411 IPC BHIKHI (ACQUITTED ON DATE 19-9-2023), FIR

NO 232 DATE 10-12-2018 U/S 379 IPC PS CITY SUNAM (INNOCENT ON DATE 12-5-2019) AND FIR NO 226 DATE 1-12-2018 U/S 379 IPC PS CITY SUNAM (UNDER TRAIL)

You are therefore, called upon to provide a suitable explanation and submit a fresh application with correct details Within 10 days. Please note that you are required to furnish a proper explanation regarding the circumstances under which you had suppressed the material information in your passport application and obtained the above said passport.

This Show Cause Notice is issued to you due to the reason mention below:-

Also state why action should not be taken to impound the passport number B6621426 dated 11/10/2023 under Section 10(2)(b)/(e) of the Passports Act, 1967 and Section 12(1)(b) of the Passport Act, 1967 should not be initiated against you. Please quote the reference number mentioned in the top block of this letter for further correspondence.”

2.2 It transpires that thereafter, the passport of the petitioner was impounded vide order dated 05.03.2024 (Annexure P-5) passed by the Regional Passport Officer, Chandigarh, in exercise of powers under Section 10(3)(b) of the Passports Act, 1967 (in short ‘the 1967 Act’).

3. In the aforementioned circumstances, petitioner has filed the present writ petition before this Court, seeking relief(s) as noticed hereinabove.

4. Learned counsel for the petitioner submits that five FIRs were registered against the petitioner, the details whereof are as under:-

(i) FIR No.248 dated 02.01.2021, under Sections 379/411/483 of the Indian Penal Code, at Police Station Dirba;

(ii) FIR No.196 dated 15.07.2018, under Section 379 of the Indian Penal Code, at Police Station City Sangrur;

(iii) FIR No.189 dated 06.12.2021, under Sections 454, 380 and 411

of the Indian Penal Code, at Police Station Bhikhi;

(iv) FIR No.232 dated 10.12.2018, under Section 379 of the Indian Penal Code, at Police Station City Sunam; and

(v) FIR No.226 dated 01.12.2018, under Section 379 of the Indian Penal Code, at Police Station City Sunam.

4.1 Learned counsel for the petitioner submits that out of the aforesaid five FIRs, the petitioner already stands acquitted in FIR No.248 dated 02.01.2021, FIR No.196 dated 15.07.2018, and FIR No.189 dated 06.12.2021, vide orders dated 09.06.2023 (Annexure P-8), 01.08.2022 (Annexure P-9), and 19.09.2023 (Annexure P-10), respectively. Insofar as FIR No.232 dated 10.12.2018 is concerned, it is submitted that the petitioner was declared innocent pursuant to investigation concluded on 12.05.2019, as reflected in the investigation report dated 31.05.2021 (Annexure P-11). Further, with regard to FIR No.226 dated 01.12.2018, reliance has been placed upon order dated 05.03.2025 (Annexure P-6) passed by this Court in CRM-M No.7085 of 2025, wherein the statement of learned State counsel stands recorded to the effect that the petitioner had been declared innocent, and the said findings of the inquiry officer were further approved by the Senior Superintendent of Police, Sangrur.

4.2 With the aforesaid submissions, learned counsel for the petitioner prays that appropriate directions be issued to the passport authorities to release the petitioner's passport by setting aside the impugned order dated 05.03.2024 (Annexure P-5) passed by the Regional Passport Officer, Chandigarh.

5. Per contra, learned counsel for respondents No.1 and 3 submits that on the date of passing of the impugned order dated 05.03.2024

(Annexure P-5), proceedings in FIR No.226 dated 01.12.2018 were still pending, and therefore, there is no illegality in the said order.

6. Heard.

7. Concededly, the petitioner was named in the aforesaid five FIRs, however, in all of them he has either been acquitted or has been declared innocent. There is nothing on record to indicate that any criminal proceedings, after the framing of charge in any case(s), are pending before a court of competent jurisdiction. Although, on the date of passing of the impugned order dated 05.03.2024 (Annexure P-5), proceedings in FIR No.226 dated 01.12.2018 were pending, however, in view of order dated 05.03.2025 (Annexure P-6) passed by this Court in CRM-M No.7085 of 2025, wherein the statement of learned State counsel stands recorded that the petitioner has been declared innocent and such findings have further been approved by the Senior Superintendent of Police, Sangrur; I am of the considered view that as on date, there remains no ground for withholding/impounding the petitioner's passport.

8. Keeping in view the aforesaid facts and circumstances, the impugned order dated 05.03.2024 (Annexure P-5) passed by the Regional Passport Officer, Chandigarh, is hereby set aside and respondents No.1 and 3 are directed to release the petitioner's passport bearing No.B6621426, issued on 11.10.2023.

9. It is made clear that in case any adverse material against the petitioner comes to the notice of the passport authorities, they shall be well within their rights to take appropriate action against him in accordance with law.

10. The present writ petition is disposed of in the aforestated terms.
11. All the pending application(s), if any, shall also stand closed.

29.07.2025
Apurva

(HARSH BUNGER)
JUDGE

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