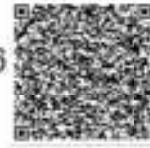


2025.PHHC:041876



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THROUGH VIDEO CONFERENCING

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

CWP-15871-2024

Date of Decision: 26.03.2025

Naresh

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Deepak Jaglan, Advocate
for the petitioner (through video conferencing).

Ms. Monica Chawla, Advocate
for respondents No.1 and 2.

Ms. Upasana Dhawan, AAG, Haryana.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Mandamus to direct the respondent authorities to issue passport to the petitioner.

2. During the course of hearing of the instant matter, learned counsel for the petitioner has not disputed the fact that the petitioner is involved in case bearing FIR No.116 dated 13.05.2021, registered under Sections 279 and 304-A of the Indian Penal Code, at Police Station Rajaund. However, it is stated that charges have already been framed against the petitioner in the said FIR and the case is now pending trial before the trial Court.

3. Learned counsel for respondents No.1 and 2, while referring to letter dated 17.01.2025 (Annexure R-6) issued by the Regional Passport

Office, Chandigarh, submits that certain clarifications have been sought from the petitioner as regards the aforesaid FIR No.116 dated 13.05.2021; however, he has not responded to the same, till date. It is further stated that since the said FIR 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.

4. 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.116 dated 13.05.2021, 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.

5. Ordered accordingly.

5.1 Petitioner may seek the requisite permission from the concerned trial Court within a period of three months from today.

5.2 It goes without saying that in case, the requisite permission is submitted by the petitioner before the Regional Passport Office, Chandigarh then the application seeking issuance of passport, as submitted by the petitioner, shall be considered and finally decided by the concerned authorities within a period of six weeks from the date when such permission is submitted by the petitioner.

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

26.03.2025

Apurva

(HARSH BUNGER)

JUDGE

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