



CWP-20296-2025 (O&M)

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

CWP-20296-2025 (O&M)
Date of Decision: 30.07.2025

Harjit Singh Through Power of Attorney, Kehar SinghPetitioner

Versus

Union of India and another Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. V.K. Sandhir, Advocate
for the petitioner.

Ms. Amrita Singh, Advocate
for respondent No.1.

HARSH BUNGER J. (ORAL)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of Mandamus for directing the respondents to renew the passport of the petitioner, which is going to expire on 06.08.2025.

2. Briefly, the petitioner (Harjit Singh) has filed the instant writ petition through his brother and attorney Sh. Kehar Singh. The petitioner was issued a passport No. N1913421 on 07.08.2015 having its validity upto 06.08.2025.

2.1 It is not disputed before this Court that Harjit Singh (petitioner) is an accused in case FIR No.38 dated 21.04.2020, under Sections 336, 341, 149, 148 and 506 of the Indian Penal Code and Sections 25, 27 and 59 of the Arms Act, wherein proclamation proceedings have been initiated against the



petitioner.

3. The petitioner is stated to have applied for renewal of his passport in the Indian Embassy at Canada on 01.10.2024. It appears that the said application is pending for awaiting the police verification report.

4. Ms. Amrita Singh, Advocate has appeared on behalf of respondent No.1, in pursuance of the advance copy of paper book having already been supplied to the Union of India.

4.1 Learned counsel for respondent No.1 submits that as the petitioner (Harjit Singh) is involved in case FIR No.38 dated 21.04.2020, therefore, he can be issued an Emergency Certificate, authorizing him to enter India, so as to enable him to join the proceedings in the said FIR No.38 dated 21.04.2020. It is further submitted that after the conclusion of proceedings in case FIR No.38 dated 21.04.2020 and/or in the eventuality of the aforesaid FIR being quashed, the petitioner (Harjit Singh) can seek renewal of his passport in terms of Government Instructions; which would be considered by the concerned authorities, on its own merits.

5. Learned counsel for the petitioner has not opposed the aforesaid course of action being adopted.

6. Keeping in view the aforesaid stand taken by learned counsel for the respective parties, the instant writ petition is disposed of by granting liberty to the petitioner (Harjit Singh) to apply for issuance of Emergency Certificate/Travel Document, authorizing him to enter India, before the Indian Embassy at Canada/concerned authority. It goes without saying that in case, the petitioner returns to India on Emergency Certificate/Travel Document and joins the proceedings in FIR No.38 dated 21.04.2020, he would be at liberty to seek renewal of his passport before the concerned



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authority in either of the below mentioned eventualities:-

- (i) upon quashing of FIR No.38 dated 21.04.2020; and/or
- (ii) in terms of the provisions of Government Instructions issued vide G.S.R. 570(E) dated 25.08.1993 or any other subsequent Government Instructions.

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

30.07.2025

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(HARSH BUNGER)
JUDGE

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