



LPA-10-2022 (O&M) 1

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

**(216) LPA-10-2022 (O&M)
Date of Decision : February 17, 2026**

Sukhvinder Singh .. Appellant

Versus

Union of India and another .. Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Gulzar Mohammad, Advocate, for the appellant.

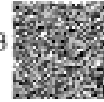
**Mr. Satya Pal Jain, Addl. Solicitor General of India with
Ms. Shreyansi Verma, Central Government Counsel,
for respondent No.1-UOI. (joined through VC)**

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present appeal, the challenge is to the order dated 01.12.2021 passed by the learned Single Judge in CWP No.18949 of 2021 by which, the claim for the re-issuance of the passport to the appellant, has been denied.

2. Learned counsel for the appellant submits that though, the appellant has no intention as of now to come back to India but he intends to join the proceeding qua trial of the criminal case, which is pending against him wherein, he has already been declared proclaimed offender.

3. Learned counsel for the appellant further submits that denial of grant of passport to appellant in the facts and circumstances of the present case is incorrect and therefore, once the passport issued to appellant has already outlived its validity, the Government of India is duty bound to renew it ignoring all the other facts.



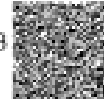
4. Learned counsel appearing on behalf of respondent No.1-UOI submits that there is a criminal case pending against the appellant being FIR No.105 dated 26.04.2008 registered at Police Station Nakodar, District Jalandhar under Sections 307, 342, 323, 148 and 149 of the IPC wherein, the appellant has been declared a proclaimed offender.

5. Learned counsel for respondent No.1-UOI further submits that they have no objection to issue him an Emergency Certificate so as to come back to India but the same is not being accepted by the appellant and only claim raised by appellant is qua the issuance of the passport so that he can travel to other countries instead of India so as to not face the trial initiated against him.

6. We have heard learned counsel for the parties and have gone through the record with their able assistance.

7. The fact that the appellant is a fugitive and has already been declared proclaimed offender, has been conceded by the learned counsel for the appellant. A fugitive/absconder does not have the right to claim the re-issuance of the passport so that he can travel to other countries rather than joining the criminal proceedings which are pending against him.

8. The intention of the appellant is clear that he does not intend to come back to India as option was given to him to get an Emergency Certificate to come to India and face trial and then in case, he wants to get his passport renewed, he can apply for renewal of same, which application will be considered in accordance with law. The said offer was declined by the learned counsel for the appellant stating that he has no such instructions

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to make a statement that he intends to come back to India on an Emergency Certificate to be issued by the competent authority.

9. The renewal of passport can be claimed in case a person is eligible to hold the same in accordance with law. The grant of renewal of passport cannot be allowed to a fugitive, who is running away from legal proceedings initiated against him as concededly the appellant is a proclaimed offender as of now and despite knowledge of said fact, he does not intend to appear so as to participate in the criminal proceeding and that too where serious allegations have been alleged against him with regard to attempt of murder.

10. Keeping in view the totality of the circumstances, the order dated 01.12.2021 passed by the learned Single Judge needs no interference at the hands of this Court.

11. Accordingly, the appeal is dismissed.

12. Civil miscellaneous application pending if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

February 17, 2026
harsha

(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No