

2026.PHHC:047088



223

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

**CWP-33832-2025 (O&M)
Date of Decision: 23.03.2026**

Kamlesh Wadhawan

..... Petitioner

Versus

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. B.B. Bagga, Advocate
for the petitioner,

Mr. Satya Pal Jain, Additional Solicitor General of India
(through video conferencing) and
Ms. Ayushi Sharma, Advocate
for respondents No.1 and 2.

Mr. Divanshu Jain, Additional Standing Counsel,
U.T., Chandigarh, for respondent No.3 and 4.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, seeking a writ in the nature of Mandamus, directing the official respondents to issue Police Clearance Certificate (PCC) to the petitioner, without adverse observations.

2. Reply by way of an affidavit dated 01.12.2025 of Mr. Ashwani Kumar, Deputy Passport Officer, Regional Passport Office, Chandigarh, filed on behalf of respondents No.1 and 2, as well as reply by way of an affidavit dated 29.11.2025 of Inspector Jaiveer Singh Rana (No 693/CTIG),

Station House Officer, Police Station, Sector-11, Chandigarh, filed on behalf of respondents No.3 and 4, are already on record.

3. Learned counsel for respondents No.3 and 4 has drawn the attention of this Court to the Police Verification Report (Annexure R-3/1 appended with the reply dated 29.11.2025), wherein, in Clause 2 of Part 'A', the following has been recorded:-

"2.Is the applicant facing any criminal charges in any Court? Yes _No

[If 'YES', please provide specific details of the criminal case]

Case FIR No.RCBDI 2017E0002 dated 7.4.2017 U/S 120B, RWS 420, 467, 468, 471 IPC 13(2) RWSB(1)(D) of PC Act, 1988, at PS – CBI BSFB New Delhi found registered against the applicant & still U. Trial in the Court of Smt. Alka Malik SPL. Judge CBI Court Chandigarh & applicant guaranteed permission to Canada with surety of Rs.50 lakhs the said order passed by Hon'ble Court of CPI Judge CBI on dated 17.05.2025."

3.1 Learned counsel for respondents No.3 and 4, while referring to the aforesaid extracted clause, submits that although a criminal case is pending against the petitioner, however, permission to travel abroad has already been granted to him vide order dated 17.05.2025, subject to furnishing surety in the sum of Rs.50,00,000/-.

4. At this stage, Mr. Satya Pal Jain, learned Additional Solicitor General of India, appearing for respondents No.1 and 2, submits that the Police Verification Report (Annexure R-3/1 appended with the reply dated 29.11.2025), as placed on record in the present writ petition, shall be duly considered by the concerned/competent passport authority, and appropriate orders shall be passed in accordance with law.

5. Keeping in view the aforesaid submissions made by learned counsel for the respective parties, the present writ petition is disposed of with a direction to the petitioner to visit the concerned passport office and furnish a copy of the aforesaid Police Verification Report (Annexure R-3/1

appended with the reply dated 29.11.2025), and also to provide a copy thereof to the Regional Passport Officer, Chandigarh, who shall consider the same and take an appropriate decision in the matter, in accordance with law, within a period of two weeks from the date petitioner furnishes the photocopy of the Police Verification Report (Annexure R-3/1 appended with the reply dated 29.11.2025) submitted by respondents No.3 and 4 herein.

6. The instant writ petition stands disposed of in the aforesaid terms.

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

23.03.2026

Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No

2. Whether reportable : Yes/No