

2025:PHHC:041946



102

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

CWP-4811-2025

Date of Decision: 26.03.2025

Avtar Singh Bathoi

..... Petitioner

Versus

Regional Passport Officer, Chandigarh and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Ramandeep, Advocate
for the petitioner.

Ms. Gurneet Sagoo, Advocate
for respondent No.1.

Mr. Navneet Singh, Senior DAG, Punjab.

HARSH BUNGER J. (ORAL)

Petition herein is, *inter alia*, for issuance of a writ in the nature of Mandamus to direct respondent No.1 (Regional Passport Officer, Chandigarh) to issue fresh passport to the petitioner, as applied by him vide application reference No.ARN240002359832 (Annexure P-1).

1.1 A further prayer has been made to direct respondent No.1 (Regional Passport Officer, Chandigarh) to decide representation dated 30.01.2025 (Annexure P-4) submitted by the petitioner.

2. Learned counsel for the petitioner submits that the passport application (Annexure P-1) submitted by the petitioner has been kept on

hold on account of the adverse Police Verification Report submitted against him inasmuch as that a case FIR No.760 dated 29.11.1999 stands registered at Police Station Sadar Patiala. However, it is stated that an untraced report had been prepared in the aforesaid FIR by police, as is evident from order dated 03.10.2023 (Annexure P-3) passed by a co-ordinate Bench of this Court in CWP No.21920 of 2023, which was filed by one Sukhjot Singh.

3. At this stage, learned State counsel submits that untraced report had been prepared by police in the aforesaid FIR No.760 dated 29.11.1999, however, the same was not accepted by the Court below and the matter is still under investigation.

4. Learned counsel for the petitioner submits that keeping in view the aforesaid submissions made by learned State counsel, the case of petitioner herein is squarely covered by the judgment passed by a co-ordinate Bench of this Court in "***Mohan Lal @ Mohna Vs. Union of India and others***", 2023 SCC Online P&H 1391.

5. Learned counsel for respondent No.1 does not dispute the aforesaid position and submits that the case of petitioner herein would be considered by the concerned authority in the light of decision rendered in ***Mohan Lal @ Mohna's*** case (*supra*) and a final decision on the application for issuance of passport shall be taken within a period of eight weeks from the date of receipt of the certified copy of this order.

6. Keeping in view the aforesaid submissions made by learned counsel for the parties, the instant writ petition is disposed of with a direction to the respondent/concerned authority to consider and decide the application for issuance of passport submitted by the petitioner in the light of judgment rendered by a co-ordinate Bench of this Court in ***Mohan Lal @ Mohna's*** case (*supra*) and especially taking into note the fact that trial in the

aforesaid FIR No.760 dated 29.11.1999 has not yet commenced; within a period of eight weeks from the date of receipt of the certified copy of this order.

7. All 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