



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

**CRM-M-26237-2025
Date of decision: 14.05.2025**

HARINDER SINGH

...PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Rahul Soi, Advocate for the petitioner.
(through video conferencing)

HARPREET SINGH BRAR, J. (ORAL)

1. Prayer in the present petition filed under Section 528 of Bharatiya Nagrik Suraksha Sanhita, 2023 for issuance of appropriate directions to respondent Nos.2 or 3 to decide the applications dated 07.02.2025, 22.02.2025 and 13.04.2025 (Annexure P-1) for issuance of the Police Clearance Certificate (PCC).

2. Learned counsel for the petitioner *inter alia* contends that the petitioner is the father of Jasmeen Kaur, who is currently residing in New Zealand on the work VISA and is aggrieved against the act of police officials, who are not issuing the Police Clearance Certificate (PCC) to her. Further, work VISA of daughter of the petitioner is due to expire on 28.08.2025 and she is an Indian Citizen, holding Indian Passport, issued at Amritsar on 08.09.2021, which is valid till 07.09.2031. It is further contended that the daughter of the petitioner has applied for Police Clearance Certificate (PCC) through proper channel for the purpose of renewal of her work VISA in New Zealand. Thereafter, she applied for necessary Police Clearance Certificate



(PCC) through online portal on 16.04.2025, however, she received an e-mail on 17.04.2025, stating therein that there is a discrepancy in the address as mentioned in the application vis-à-vis the passport. Learned counsel submits that the daughter of the petitioner has duly replied to the said e-mail with clarification and documentation due to her ongoing matrimonial dispute as discernible from Annexures P-2 to P-4. Further, the address of the daughter of the petitioner is mentioned at Village Ball, Post Office Heir, Amritsar i.e. address of her matrimonial home, however, due to the ongoing matrimonial dispute, as and when the local police visits Village Ball, her in-laws do not cooperate or refuse to acknowledge her being married in their village. Furthermore, the parental address of the petitioner is in Village Mushkabad, Samrala, Khanna, District Ludhiana, which falls under the jurisdiction of Senior Superintendent of Police, Khanna and the petitioner has no objection of Police Clearance Certificate (PCC) being issued from either jurisdiction. Earlier also, the petitioner has moved detailed representation on 01.05.2025 to the Commissioner of Police, Amritsar for redressal of the grievance raised, but as of now, no response is forth coming from the office of respondent No.2. As the VISA of daughter of the petitioner is going to expire on 28.08.2025, the petitioner is constrained to approach this Court as the action of the official respondents would cause severe inconvenience and hardship to his daughter and jeopardize her ability to continue staying and working in New Zealand. Reliance in this regard has been placed upon *Olga Tellis vs. Bombay Municipal Corporation, 1985 (3) SCC 545* and submits that denial of Police Clearance Certificate (PCC) amounts to violation of the fundamental rights of daughter of the petitioner enshrined under Articles 19(1)(g) and 21 of



Constitution of India. Hence, the denial of the Police Clearance Certificate (PCC), which is a pre-requisite for employment and VISA continuation in New Zealand, curtails her constitutional rights without any lawful justification.

3. Notice of Motion.

4. On the asking of the Court, Mr. Subhash Godara, Addl. A.G., Punjab accepts notice on behalf of respondents-State and *per contra*, submits that after the Police Clearance Certificate (PCC) was sought in *Saanjh Kendra*, Amritsar, thrice, the jurisdictional police officials visited village Ball in District Amritsar, however, no one was found at the address and the person, who was present there did not co-operate with the police officials. He further submits that it is the duty of the authorities to process and issue necessary Police Clearance Certificate (PCC). Learned State counsel submits that as mentioned in the representation as well as in the petition, in case, the petitioner applies for Police Clearance Certificate (PCC) at Khanna, the same would be processed and issued within a period of four weeks thereafter.

5. In view of the above, present petition is disposed of with a direction to respondent No.3 to process the application within four weeks, as and when, the petitioner applies for Police Clearance Certificate (PCC), at the parental address of Jasmeen Kaur i.e. daughter of the petitioner at Village Mushkabad, Samrala, Khanna, District Ludhiana.

May 14, 2025
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(HARPREET SINGH BRAR)
JUDGE

(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No