

FIR No.90 dated 04.05.2018

under Section 323, 341, 506, 148, 149 IPC

P.S.Samrala.

Present: Sh. Sandeep Kumar, Ld. APP for the State.

Accused Kamaljit Singh, Gurbinder Singh, Lakhvir Singh
and Gurjit Singh on bail with counsel Sh. D.S.Shahi,
Advocate.

Accused Jagdeep Singh Proclaimed Person.

1. This order of mine shall dispose of an application filed by the applicant/accused Gurjit Singh seeking permission for renewal of Passport of the applicant.

2. In support of this application, it has been submitted that passport bearing No.K2171484 of the applicant is going to expire on 21.05.2022 and the applicant want to get it renewed from the competent authority. It is therefore prayed that permission may kindly be granted to renew the passport of the applicant.

3. In reply, the learned APP for the State controverted the averments of the application and lastly a prayer for dismissal of the present application has been made.

4. Heard. In my opinion, the present application deserves to be allowed. If the applicant/accused had any intention of escaping to foreign country, he would have easily done that by now as case was registered against him in the year 2018. The accused just wants permission to renew his passport. Mere pendency of criminal case is not a bar to renew his

passport. It is the basic right of every citizen of India to seek valid passport in order to travel abroad. Further support is drawn from “*Jagdeep Singh V/s Union of India 2012(1) Law Herald (P & H)*” wherein direction was given to the Passport Authorities to renew the passport and further it was observed that the refusal of re-issuance of passport on the ground of pendency of criminal trial is arbitrary. Hence, permission is granted and the present application is allowed. However, applicant/accused Gurjit Singh is directed, not to travel abroad without seeking prior permission of the Court. Hence, in these terms, the present application stands disposed of. Copy of this order be also supplied to the applicant/accused Gurjit Singh in the interest of justice.

5. PW4 Retired SI Jarnail Singh is present and examined in chief. His cross-examined is deferred as court time is over. He is bound down for 08.06.2023. Summons issued to PW HC Mukhtiar Singh and Daljit Singh received back unserved. Be again issued for the date fixed. Remaining PWs be also summoned for the date fixed.

Pronounced in open Court on
Dated: 02nd May, 2023

(Harmanjit Singh, Steno-II)

(Megha Dhaliwal) PCS
Sub Divisional Judicial Magistrate
Samrala. (UID No. PB 0357)