

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(271)

CRM-M-67930-2025 (O&M)
Date of Decision:17.09.2026

JAGTAR SINGH

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

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CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL

Present:- Mr. P.S. Dhaliwal, Advocate
for the petitioner.

Mr. Hemant Aggarwal, DAG, Punjab.

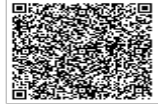
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VIRINDER AGGARWAL, J. (Oral)

1. Petition under Section 482 of the Code of Criminal Procedure, seeking quashing of the order dated 06.11.2025 (Annexure P-3) passed by the Additional Chief Judicial Magistrate, Barnala, whereby the petitioner’s application seeking renewal of passport and permission to travel abroad was declined. The particulars of the FIR are as under:

Particulars	Details
FIR No. & Date	20 dated 24.02.2022
Sections	Sections 406, 409, 419, 420, 467, 468, 471, 201 and 120-B IPC
Police Station	Barnala, District Barnala

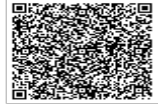
1.1 The petitioner assails the impugned order as being legally unsustainable and seeks appropriate permission for renewal of passport and travel abroad during the pendency of the criminal proceedings.



2. Learned counsel for the petitioner submits that the petitioner was nominated in aforesaid FIR primarily on the basis of the disclosure statement of a co-accused, without any substantive incriminating material directly connecting him with the alleged irregularities in the affairs of the society. It is further submitted that the petitioner was granted regular bail by this Court vide order dated 01.02.2023 in CRM-M-47203-2022, pursuant to which his passport was surrendered in compliance with the bail conditions. The petitioner's passport has since expired and he seeks its release and renewal to enable him to visit Australia, where his son, daughter-in-law, son-in-law, daughter and granddaughter are residing and have been calling him to visit. It is contended that the application was declined merely on the ground that the passport had been surrendered pursuant to the bail order and that no urgency was disclosed. Learned counsel submits that the petitioner does not seek any alteration of the conditions governing his bail, but only limited permission to renew and use the passport, subject to such safeguards as this Court may deem appropriate. Grant of the relief sought has accordingly been prayed for.

3. Notice of motion.

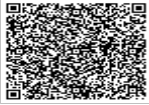
4. Upon advance notice, Mr. Hemant Aggarwal, DAG, accepts notice on behalf of the State of Punjab and opposes the present petition. It is submitted that the petitioner voluntarily surrendered his passport pursuant to the bail conditions imposed by this Court and has not demonstrated any compelling or exceptional circumstance warranting relaxation thereof. The order under challenge is stated to be well-reasoned



and free from any illegality or material infirmity. Dismissal of the present petition has accordingly been prayed for.

5. Having heard learned counsel for the parties and upon meticulous scrutiny of the paper-book with their able assistance, this Court finds that the relief presently sought is confined to renewal of the petitioner's passport. The petitioner was admittedly in possession of a valid passport, which was surrendered pursuant to the conditions imposed while granting him bail. During the pendency of the criminal proceedings, the validity of the passport expired, and the petitioner now seeks its renewal so as to enable him to undertake travel abroad. Mere surrender of the passport in compliance with a judicial direction cannot, by itself, operate as a permanent embargo against its renewal, particularly when the petitioner does not seek to evade the pending proceedings or dilute the conditions governing his bail. The right to possess a passport and to travel abroad forms part of the personal liberty guaranteed under Article 21 of the Constitution of India, subject to reasonable restrictions imposed by law and the orders of a competent Court.

5.1. In these circumstances, and without expressing any opinion on the merits of the criminal proceedings, the Trial Court is directed to return the expired passport to the petitioner for the limited purpose of producing the same before the Regional Passport Office concerned and applying for its renewal. Upon issuance of the renewed passport, the petitioner shall forthwith deposit the newly issued passport before the Trial Court, whereafter the same shall remain subject to the orders and conditions governing the petitioner during the pendency of the proceedings.



5.2. In view of the aforesaid observations, the present petition is hereby **allowed** in the above terms.

6. In view of the final adjudication of the principal proceedings, all pending miscellaneous applications, if any, arising therefrom or ancillary thereto, shall stand disposed of accordingly, having been rendered infructuous consequent upon the disposal.

17.09.2026
Gaurav Sorot

(**VIRINDER AGGARWAL**)
JUDGE

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No