

**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA**

**CWP No. 17812/2026
Decided on: 07.10.2026**

Rahul Rana

...Petitioner

Versus

State of H.P. & Ors.

....Respondents.

.....
Coram

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?¹

For the petitioners:

Mr. Naveen Awasthi, Advocate.

For the respondents:

**Ms. Menka Raj Chauhan, Deputy
Advocate General.**

Jyotsna Rewal Dua, J

Notice. Ms. Menka Raj Chauhan, learned Deputy Advocate General, accepts notice on behalf of the respondents.

2. Petitioner is serving as Constable. His grievance is against the order dated 26.09.2026 issued by respondent No.4- Commandant 1st Indian Reserve Battalion (IRB), Bangarh, District Una, H.P., whereby the petitioner was repatriated to Battalion Headquarters at Bangarh, Una.

3. The case set up by the petitioner is that he was appointed as Constable in the year 2016 and posted at 1st IRB, Bangarh, Una. On 06.08.2025, the petitioner was deployed as guard

¹ Whether reporters of the local papers may be allowed to see the judgment? yes

at Punjab National Bank, Una, on Purely Short-Duty Deployment (PSDD) basis. Under the impugned order issued on 26.09.2026 by respondent No.4, the petitioner has been repatriated and directed to report back to Battalion Headquarters, Bangarh, Una.

Learned Counsel for the petitioner submits that petitioner's wife was a victim of sexual harassment at workplace, in relation to which FIR No.37 was lodged at Police Station, Una, under Section 79 of the Bharatiya Nagarik Suraksha Sanhita, (BNSS), against one Constable, Sh. Shubham Sharma. That the respondents, with an ulterior motive to save the accused, Sh. Shubham Sharma, filed a cancellation report in the aforesaid FIR, which was rejected by the Court of learned Chief Judicial Magistrate, Una, vide order dated 27.10.2025. The report was sent back to the concerned the Investigating Officer to investigate the matter again by taking into account the video footage from HR records, written communications, etc., and also recording the statements of key witnesses present at the workplace and also to examine the applicability of Sections 75 & 79 of BNSS and provisions of Sexual Harassment of Women at Workplace Act, 2013, while carrying out investigation. Learned counsel further submits that the impugned transfer is result of the pressure being put upon the petitioner.

4. Admittedly, petitioner's parent department is 1st India Reserve Battalion, Bangarh, Una. The impugned order does not even

change the place of posting of the petitioner. Under the impugned order, the petitioner, who was deployed as guard at Punjab National Bank, Una, on Purely Short-Duty Deployment (PSDD) basis, has been repatriated back to the Battalion Headquarters, Bangarh, Una. Petitioner's deployment at Punjab National Bank was only for short duty. The petitioner's endeavours to connect FIR No.37 dated 03.11.2024, registered at Police Station, Una, with his repatriation to Bangarh, however, the impugned order is plain & simpliciter and is in sync with the normal course of discharge of administrative duties. Respondent No.4 has simply directed the petitioner to report back to Battalion Headquarters. The petitioner, who had been deployed as guard on short duty at PNB, Una, cannot insist to serve only as guard at PNB, Una. Accordingly, I find no merit in the instant petition, the same is dismissed. Pending miscellaneous applications, if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

07th October, 2026_(rohit)