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

CWP-10021-2022 (O&M)
Date of Decision: 23.07.2026

Balwinder Singh

...Petitioner

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. B.S.Seemer, Advocate, Advocate, for the petitioner.

Mr. Amarpreet Singh Bains, AAG, Punjab.

NAMIT KUMAR, J. (Oral)

CM-5329-CWP-2026

Application is allowed as prayed for and the judgment dated 31.01.2026 passed by learned Additional Sessions Judge, Amritsar is taken on record as Annexure P-11.

CWP-10021-2022 (O&M)

1. The present petition has been filed by the petitioner under Articles 226/227 of the Constitution of India, seeking a writ of certiorari for quashing the impugned order dated 07.01.2022 (Annexure P-8), as well as order dated 17.03.2021 (Annexure P-3), passed by respondent No.4 and recommendation dated 17.03.2021 (Annexure P-2) passed by respondent No.5, whereby the petitioner has been dismissed from service by invoking provisions under Article 311(2)(a) of the Constitution of India read with Rule 16.2 of Punjab Police Rules, 1934, without considering his long service. Further, a writ in the nature of mandamus has been sought directing



(2)

the respondent authorities to reconsider the punishment imposed by the respondent authorities under Rule 16.32 of Punjab Police Rules, 1934 by taking into consideration his service of more than 28 years.

2. Learned counsel for the petitioner submits that the petitioner was dismissed from service, vide order dated 17.03.2021 (Annexure P-3), while invoking the provisions of Article 311(2)(a) of the Constitution of India read with Rule 16.2(1) of Punjab Police Rules, 1934. In the said order of dismissal, there was reference of two criminal cases i.e. (i) FIR No.13 dated 14.01.2021 registered under Sections 307/427/148/149 IPC and Sections 25 & 27 of the Arms Act at Police Station Sadar, Amritsar; and (ii) a complaint case under Section 138 of the Negotiable Instruments Act i.e. Criminal Complaint No.88/2010 dated 05.04.2010 titled as '*Palwinder Singh Vs. Balwinder Singh*'. Learned counsel further submits that in the proceedings arising out of the complaint under Section 138 of the Negotiable Instruments Act, the petitioner was convicted and sentenced by the Court of learned Judicial Magistrate Ist Class, Amritsar, vide judgment dated 01.12.2014, whereas FIR No.13 dated 14.01.2021 was still under investigation at the time when he was dismissed from service.

3. Learned counsel for the petitioner further submits that, subsequently, the petitioner has been acquitted in both the cases, vide judgment dated 31.01.2026, passed by learned Additional Sessions Judge, Amritsar (Annexure P-11) and vide judgment dated 09.02.2023 passed by this Court in CRR-1238-2020 titled as '*Balwinder Singh Vs. Palwinder Singh*' (Annexure P-9) respectively. In view of the said developments, learned counsel for the petitioner submits that the petitioner is entitled to



(3)

seek reconsideration of his dismissal from service. He, therefore, submits that the petitioner may be permitted to withdraw the present petition with liberty to approach the competent authority by submitting a detailed representation, which may be considered and decided in a time bound manner.

- 4. Learned State counsel is not averse to the contention raised by learned counsel for the petitioner.
- 5. Dismissed as withdrawn with liberty as prayed for.
- 6. If any such representation is submitted by the petitioner within four weeks from today, the same shall be considered and disposed of by the competent authority, within a period of three months thereafter, by passing a speaking order after affording an opportunity of personal hearing to the petitioner.
- 7. Pending application, if any, stands disposed of as well.

(NAMIT KUMAR)
JUDGE

23.07.2026
Vimal

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No