

CRM-M-25014-2013

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

CRM-M-25014-2013

Date of decision: 09.10.2015

Subhash Chand and another

.....Petitioners

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. T.C. Dhanwal, Advocate and
Mr. Anil Ghanghas, Advocate,
for the petitioners.

Ms. Mahima, AAG, Haryana.

SABINA, J

Petitioners have filed this petition challenging the part of the order dated 28.03.2012, whereby observations were made against them by the trial Court.

I have heard learned counsel for the petitioners and have gone through the record available on the file carefully.

Para 36 of the order passed by the trial Court dated 28.03.2012 reads as under:-

“This Court would be failing in its duties if before parting with this judgment, the conduct of the policemen involved with

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this case is not discussed. It would be in the fitness of the things to observe that the conduct of SI Rajpal, ASI Rai Singh and SHO Subhash Chander was highly unbecoming of the police officers as their acts were with malafide intentions and they should not be allowed to go scot-free. Taking into account the overall facts and circumstances of the case, it would be in the interests of justice if this Court directs the Home Secretary to Government of Haryana for instituting the departmental proceedings against the policemen stated above and conclude the same at the earliest. A copy of this judgment attested by the Ahlmad be sent to Home Secretary, Government of Haryana, Civil Secretariat, Chandigarh with the direction to initiate the disciplinary action against the above said police officials and submit action report before this Court by way of an affidavit of some responsible officer from the Home Department within a period of four months from this date.”

In pursuance to the said observations, departmental inquiry was held against the petitioners and as per the status report submitted by the State, petitioners were found innocent and were exonerated. Since, the petitioners were exonerated in Departmental proceedings, the

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observations made by the trial Court that the conduct of the petitioners was highly unbecoming of police officers as their acts were with malafide intentions and they should not be allowed to go scot-free loses its significance.

Petition stands disposed of, accordingly.

October 09, 2015

kapil

**(SABINA)
JUDGE**