

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

CWP-24184-2014(O&M)

Date of decision : 07.04.2015

KARNAIL S INGH

..... PETITIONER

VS

STATE OF HARYANA & ORS

..... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Ms.Neha Jain , Advocate for the petitioner.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

The petitioner has challenged the action of the respondents in dismissing him on account of his conviction under Section 306 IPC. As per the criminal case registered against the petitioner he entered his neighbour's lawn in a drunken condition and tried to molest his wife and dragged her inside the house where she, in a bid to save him off, committed suicide. His conviction was upheld to this court and after that order became final, a notice was issued to him to show cause why he should not be dismissed from service. He replied to the show cause notice and thereafter the impugned order was passed after giving him personal hearing. It was thereafter that the punishing authority found that he was liable for dismissal.

He then filed an appeal and the appellate authority noticed that the appellant

did not even care to bring the fact of his conviction having been upheld to the knowledge of his employer and continued to do the job. He also found that his conviction in these circumstances justify his dismissal from service.

The only argument made by learned counsel is that the petitioner is a poor person and even paid enhanced fine under the orders of this court. In my opinion that argument would not suffice. The enhanced fine was paid in the criminal case for the reason that the punishment was reduced to that already undergone. The conduct of the petitioner does not deserve any sympathy. Admittedly rules permit the action.

The petition is dismissed.

Since the main case has been decided, the Civil Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

April, 07, 2015
sunita