

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24710-2016 (O&M)
Date of decision: 01.12.2016

Amandeep Kaur

.....Petitioner

versus

State of Punjab and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldeep Singh

Present: Mr.Shiv Kumar, Advocate for the petitioner

- 1. Whether Reporters of Local Newspapers 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?*

Kuldeep Singh, J. (Oral)

Petitioner who was working as a Superintendent of Police was suspended on 6.5.2013 w.e.f. 15.1.2013 (Annexure P1) on account of registration of FIR No.180 dated 18.8.2012 under Sections 7, 8, 13 (2) 1988 P.C. Act and 306, 353, 332, 218, 195, 166, 167, 186 and 120-B IPC on the allegations of accepting bribe from Ranjit Singh, ETO and abetting him to commit suicide by planting a false case against him. Thereafter, apparently the petitioner was arrested on 15.1.2013 and remained in custody for a considerable period before she was released on bail.

It comes out that the departmental proceedings have also been initiated vide charge sheet dated 28.10.2014.

The prayer of the petitioner in this petition is for reinstating her after quashing the suspension order.

After arguing for sometime, learned counsel for the petitioner

prays that at this stage he only makes a short prayer that the government be ordered to take a decision on the application dated 15.1.2016 (Annexure P5) for her reinstatement.

In view of the pendency of criminal trial and the departmental proceedings this Court leaves it to the government to decide as to what decision is to be taken on the application of the petitioner after considering the facts and circumstances of the case. Application (Annexure P5) has been moved before the Director General of Police, Punjab, Chandigarh. However, in this case, the necessary orders are to be passed by the Home Department and not by the Director General of Police, Punjab.

In the circumstances, the present petition is dismissed with liberty to the petitioner to move the appropriate authority with appropriate prayer and if such application is moved, the government shall take a decision on the same expeditiously after considering facts and circumstances of the case, without being influenced by the fact that the petitioner had approached this Court.

01.12.2016
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes
No