

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.2279 of 2016 (O&M)

Date of Decision: December 12, 2016

Charan Singh

.....Appellant

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Brijender Kaushik, Advocate, for the appellant.

Mr.R.D.Sharma, Deputy Advocate General, Haryana.

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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?

Surya Kant, J. (Oral)

Notice of motion.

On our asking, Mr.R.D.Sharma, learned Deputy Advocate General, Haryana accepts notice on behalf of the respondents.

Let three copies of complete paper book be handed over to him during the course of day.

The question that arises for consideration is whether the criminal proceedings as well as domestic enquiry can continue simultaneously on the same set of allegations?

Though the learned Single Judge has rightly drawn distinction and held that it is not a case where disciplinary proceedings should be stayed but taking into consideration the fact that only two witnesses are stated to be left to be examined in the criminal case which is now fixed for

on the same date, we dispose of this appeal with a direction to the Inquiry Officer to take up the matter immediate after the date when left out witnesses would be examined and the appellant's statement under Section 313 Cr.P.C. is recorded in the trial Court. However, if the Inquiry Officer finds that the appellant is delaying the criminal trial proceedings, he will be at liberty to proceed with the domestic enquiry in accordance with law.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

December 12, 2016
mohinder

[SUDIP AHLUWALIA]
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No