

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

CRR- 3243 of 2014 (O&M)
Date of decision: 07.02.2017

K.L. Aneja

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Sumit Gupta, Advocate for the petitioner(s).

Mr. Saurabh Mohunta, DAG, Haryana.

Mr. Naveen Chopra, Advocate for respondent No.2.

Jitendra Chauhan, J. (Oral)

After arguing for some time, the learned counsel for the petitioner seeks permission to withdraw the instant petition.

Dismissed as withdrawn.

However, from the perusal of testimony of PW-4, Ram Nath, it prima facie appears that he acted in a partial manner in recording that as per the enquiry, Dharambir and the petitioner were ignorant about the misappropriation whereas, the petitioner being the Sub Post Master was the custodian of second key and without use of both the keys, the chest could not have been opened. It has also come on record that the petitioner has deposited Rs.1,65,000/-.

In the circumstances, the enquiry conducted by ASI Randhir Singh prima facie appears to be against record. The trial Court is at

liberty to examine the role of Enquiry Officer after affording him proper opportunity to present his case.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case, as the impression is gathered on the available record before this Court at the moment.

07.02.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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