

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

**CWP-16766-2017 (O&M)
Date of decision: 31.07.2017**

Balwinder Singh

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. O.S. Batalvi, Advocate for petitioner.

...

TEJINDER SINGH DHINDSA, J.

The instant writ petition is directed against the order dated 03.01.2017 (Annexure P-6) issued by the Senior Superintendent of Police, Jalandhar (Rural) and in terms of which apart from others, the present petitioner has been denied the benefit of charge and rank of ASI ostensibly for the reasons that criminal case i.e. FIR No.106/2015 is pending against him.

Counsel appearing for the petitioner would submit that undoubtedly, name of the petitioner figured in the FIR in question along with other co-accused but upon investigation having been carried out, the petitioner was found innocent. Further contended that in the final investigation report under Section 173 of the Criminal Procedure Code, the petitioner was not even nominated as an accused and the competent Court has framed charges only against co-accused, Mangal Singh.

In the light of such submission raised by counsel, the instant writ petition is disposed of in terms of granting liberty to the petitioner to approach the Senior Superintendent of Police, Jalandhar (Rural) or any

other police official senior to him by submitting a representation so as to demonstrate that as on the date of passing of the impugned order dated 03.01.2017 (Annexure P-6), the petitioner stood completely exonerated in FIR No.106/2015 and nothing was pending against him.

In the eventuality of any such representation being preferred, respondent No.2/competent authority would take an appropriate decision and convey the same to the petitioner expeditiously and in any case within a period of two months from the date of submission such representation.

Disposed of.

31.07.2017*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| (i) | Whether speaking/reasoned? | Yes/No |
| (ii) | Whether Reportable? | Yes/No |