

CWP NO.4219 of 2017

#1# Manoj Kumar
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IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP NO.4219 of 2017

Date of Order: **02.3.2017**

Gurpreet Singh

....Petitioners

Versus

State of Punjab and Another

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Mandeep Singh Sodhi, Advocate for the
petitioner.

JASWANT SINGH, J

The petitioner, who was appointed as SPO with the office of Director General of Police, Punjab, has prayed for issuance of a writ of Certiorari for quashing the impugned order dated 13.3.2012 passed by respondent No.2 thereby terminating his services on the basis of his conviction in criminal case; with further prayer to direct the respondents to reinstate him into service with all consequential benefits.

Learned counsel for the petitioner has contended that the impugned order dated 13.3.2012 passed by respondent No.2, and copy of which has not been supplied to the petitioner, is legally unsustainable, in view of the fact that the same has been passed without due application of mind and is result of double jeopardy.

After hearing learned counsel for the petitioner and

perusing the paper book, this court finds no merit in the present petition and the same deserves dismissal.

The petitioner was recruited as Special Police Officer in the Punjab Police on 18.5.2002 and after a period of almost one year, an FIR No.25 dated 22.3.2003 was registered at P.S Cantt Ferozepur under Sections 420/468/471 IPC by the Commandant, 6th IRB and he was acquitted by the learned trial Court vide judgment dated 21.11.2011. Thereafter, an appeal was preferred by the prosecution, which was allowed leading into conviction and sentence of the petitioner under Section 420/468/471 IPC for a period of three years vide judgment and order dated 22.1.2014 and . The said order was assailed by the petitioner before this Court in CRA-S-616-SB of 2014 wherein the sentence of the petitioner has been suspended vide order dated 28.2.2014 while admitting the appeal.

A perusal of paper book reveals that the petitioner has not even attached the copies of judgment dated 21.11.2011 and 22.1.2014. Moreover, the petitioner has not even cared to attached the copy of impugned order dated 13.3.2012 passed by respondent No.2 on the lame excuse that the same has not been supplied to the petitioner.

Present writ petition has been filed on 27.2.2017 i.e after a period of almost five years from the date of passing of the impugned order of termination. Even otherwise, in the absence of the impugned order, this Court cannot go into the legality and validity of the same. Merely saying that the impugned order has not been supplied to the petitioner cannot be countenanced by

CWP NO.4219 of 2017

#3#

this court.

No case is made out for interference.

Dismissed.

March 02 , 2017

(JASWANT SINGH)

Manoj

JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No