

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

COCF No.561 of 2018(O&M)

Date of Decision:-20.02.2018

Indra Nath Jha.

.....Petitioner.

Versus

**Sister Jyoti B.S., The Corporate Manager, Bethany Education Society
(R) Northern Province, Ish Kirpa, Kunjpura Road, Karnal.**

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Dr. Rau P.S. Girwar, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner was convicted and sentenced to undergo imprisonment for one year for offence under Section 174-A IPC, having been declared a proclaimed offender in a criminal complaint proceedings against him under Section 138 of the Negotiable Instruments Act. The appeal against the said conviction and sentence was dismissed. However, this Court in Criminal Revision No.4489 of 2017 decided on 06.12.2017 ordered the release of the petitioner on probation under Section 5(1) of the Probation of Offenders Act, 1958. Thus his conviction was not to be treated as disqualification for any purposes whatsoever.

It so transpires that the petitioner based on *inter alia* his aforesaid conviction and sentence, was dismissed from service by State Government vide order dated 30.11.2017. Hence the present contempt has

been filed alleging violation of the directions contained in the order dated 06.12.2017.

After hearing learned Counsel for the Petitioner, it is evident that the termination order stood passed much before the directions in the order dated 6.12.2017, which fact has been noticed in the same order itself. Therefore, there is no willful disobedience of the directions, however, the Petitioner is free to seek his remedy based on the observations in order dated 06.12.2017 in accordance with law.

Disposed of with aforesaid liberty.

(JASWANT SINGH)
JUDGE

February 20, 2018
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>