

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

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**CRM-M-8700-2018 (O&M)
Date of Decision: 21.08.2019**

Sumer Partap Singh

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. R.S. Cheema, Sr. Advocate with
Mr. Ishaan Khetarpal, Advocate for the petitioner.

Ms. Harpreet Kaur, Assistant Advocate General, Haryana.

Shekher Dhawan, J.

Present petition under Section 482 Cr.P.C. is for setting aside the order dated 11.01.2017 passed by learned Special Judge, Kaithal in case FIR No.7 dated 12.7.2016, under Sections 7/13 of Prevention of Corruption Act, registered at Police Station Vigilance Bureau, Ambala and for expunction of unwarranted remarks/warning/observations recorded therein.

Learned senior counsel for the petitioner contended that the petitioner herein appeared as a prosecution witness as he was posted as Superintendent of Police, Kaithal at the relevant time and order for prosecution was sanctioned by him. Thereafter, he was posted as Superintendent of Police, Telecom, Panchkula and he appeared in civil uniform, not in prescribed uniform as required but as per instructions issued by Director General of Police, Haryana, he was not required to wear uniform except on Monday and first half of every Friday.

Learned senior counsel for the petitioner further contended that learned trial Judge has passed the order, which may be construed as adverse remarks towards his service career as the police official had also tendered

apology which was accepted by learned trial Judge.

Learned State counsel has not disputed the above factual position.

The relevant instructions issued from the Office of Director General of Police, Haryana, which reads as under:-

“The matter has been reconsidered and it has been decided that all Police Officers and officials including office orderlies, extra hands, drivers, gunmen posted in Police Headquarters, Railways, Telecom etc. (except CID) shall compulsorily wear uniform for full day on every Monday and in the first half of every Friday with immediate effect. It must be ensured that all officers and officials wear neat and clean uniform and no unauthorized article of uniform is worn.

The above instructions must be complied with in letter and spirit.

*Sd/-04.07.2005
(Yash Pal Singh) IGP/ Admn
For Director General of Police, Haryana.”*

Having considered the above facts and taking into consideration the above instructions, this Court is of the considered view that the petitioner was not required to be in official uniform as the date fixed i.e. 11.01.2018 was Saturday. In any case, the petitioner had already tendered his apology which was duly accepted by learned trial Judge.

In view of the above, the present petition is disposed of with observation that any observation recorded in the order dated 11.01.2018 shall not be treated as adverse remarks towards the service career of the petitioner.

(SHEKHER DHAWAN)
JUDGE

21.08.2019
komal

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No