

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

CWP-18445-2020

Date of Decision: 04.11.2020

AKBAR SALEEM

....PETITIONER..

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS..

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Vishal Deep Goyal, Advocate,
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab.

SANT PARKASH J.(Oral)

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

The petitioner has invoked the writ jurisdiction of this Court for quashing the enquiry proceedings, if any, pending against him, which are in violation of Rule 16.38(1) of Punjab Police Rules, 1938, which specifically provides that where a preliminary enquiry or investigation into a complaint alleging the commission by an enrolled police officer or a criminal offence in connection with his official relations with the public, establishes a prima facie case, a judicial prosecution shall normally follow and where, the Superintendent of Police proposes to proceed in the case departmentally, the concurrence of the District Magistrate shall be obtained.

It is contended that the compliance of the aforesaid rule has not

been made in the case of the petitioner and on the pretext of letter dated 18.04.2019 (P-3), the petitioner is being denied to get B-I course as well as further promotion.

Notice of motion.

At this stage, Ms. Kanica Sachdeva, AAG, Punjab accepts notice on behalf of respondent-State. Copy of the paper book be supplied to learned State counsel, during the course of the day.

During the course of hearing, learned counsel for the petitioner has submitted that a representation dated 30.07.2020 (P-4) has already been submitted by the petitioner to the respondents, but no decision has been taken.

Learned counsel for the petitioner submits that he would be satisfied, if direction is issued to the respondents to decide representation (Annexure P-4) moved by the petitioner, in a time-bound manner.

Having heard learned counsel for the petitioner and after perusing the paper-book, but without commenting on merits of the case, instant petition is disposed of with a direction to respondent-authority, to look into the grievances made in the present writ petition along with representation (P-4) and decide the same within a period of two months from the date of receipt of certified copy of this order.

November 04, 2020
sonika

(SANT PARKASH)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No