

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

CWP-17497-2017

Date of decision : 26.04.2023

Jagdish Singh

..... Petitioner

versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. A.K. Walia, Advocate
for the petitioner.

Mr. Inderpreet Singh Kang, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Counsel for the petitioner submits that the petitioner was ordered to be dismissed vide order dated 28.05.2012 (Annexure P-1) after he was booked in FIR No.28 dated 24.05.2012, registered for the offences under Sections 223, 224 and 225 of IPC at Police Station Fatehgarh Panjtoor, District Moga by invoking Article 311(2)(b) of the Constitution of India without any inquiry.

2. Admittedly, the petitioner was convicted in the said criminal trial on 29.11.2016. Though in appeal, the conviction was upheld and the petitioner was granted benefit of the provisions of Probation of Offenders Act, 1958.

3. Counsel submits that the petitioner is ready to forgo his benefits for the period 28.05.2012 till his conviction, in case the respondents are directed to reconsider the case of the petitioner.

4. Mr. Kang is not opposed to the aforesaid request made by the petitioner through his counsel and submits that the authorities will re-look the matter and pass the appropriate order keeping in view that the petitioner though released on probation, is a convict as on date. Necessary orders be passed within a period of 08 weeks from the date of receipt of certified copy of this order.
5. Disposed off, accordingly.

(PANKAJ JAIN)
JUDGE

26.04.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No