

252(2)

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

CWP-21163-2021

Date of decision: 14.11.2023

Devender Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Akshay Kumar Jindal, Advocate for the petitioner.

Ms. Palika Monga, DAG, Haryana, for the respondents.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of prohibition restraining respondent No.1 from proceedings ahead with the regular enquiry initiated against the petitioner on the basis of registration of FIR No.169 dated 21.06.2021 under Sections 420, 467, 468, 471, 477 and 120-B of IPC at Police Station Arya Nagar, Rohtak, District Rohtak.

2. Learned State Counsel has pointed out that in the present case, vide order dated 28.10.2021, only interim order passed was that no final order would be passed in the departmental proceedings and during the pendency of the case, all the witnesses have been examined in the departmental proceedings and thus, the present writ petition has been

rendered infructuous.

3. Learned counsel for the petitioner has submitted that the main witnesses in the trial have turned hostile and thus, the present writ petition may kindly be disposed of as having been rendered infructuous but liberty be granted to the petitioner to raise all the pleas as are available to him during the course of departmental proceedings.

4. In view of the above, the present Civil Writ Petition is disposed of as having been rendered infructuous.

5. Liberty is however granted to the petitioner to raise all the pleas as are available to him during the course of departmental proceedings.

6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

14.11.2023

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No