

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

283

CWP-21260-2021 (O&M).
Date of Decision: 17.08.2023.

SAROJ YADAV

.. Petitioner

Versus

STATE OF HARYANA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Anurag Goyal, Advocate,
for the petitioner.

Mr. Vivek Chauhan, Addl. A.G. Haryana,
for respondents No.1 to 3.

Mr. R.K. Malik, Sr. Advocate, with
Mr. Sandeep Dhull, Advocate,
for respondent No.4.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the order dated 06/08.09.2021 (Annexure P-11) whereby the charge-sheet involving sexual harassment against the delinquent official-respondent No.4 had been dropped on the orders of the Minister of Education.

A perusal of the said order shows that the Special Secretary, Government of Haryana, Department of Secondary Education, Haryana, had referred to the order dated 09.06.2021 as per which the proceedings were held to be pre-mature and the charge sheet dated 24.06.2020 was dropped subject to final outcome of decision in the pending FIR No.161

dated 11.08.2016, under Sections 354 and 506 of the Indian Penal Code, 1860, registered at Women Police Station, Gurugram.

Learned Senior counsel appearing for respondent No.4 has informed that the delinquent was thereafter granted benefit of doubt by the Judicial Magistrate First Class, Gurugram, vide judgment dated 02.06.2022 and respondent No.4 was thus acquitted. Pursuant to the above said order of acquittal, proceedings in the charge sheet were revived and vide order bearing No.5/43-2016 HRG01 (1) dated 17.10.2022 endorsed on 28.10.2022, a punishment of censure was inflicted upon the delinquent by converting the charge sheet under Rule 8. It is further informed that he has preferred an appeal against the said punishment as well.

Learned counsel appearing for the petitioner contends that the copy of the aforesaid order had not been furnished to him. A photocopy of the aforesaid order has been supplied to the learned counsel for the petitioner today in the Court itself. He thus does not press the instant petition at this stage with liberty to challenge the said order as per law.

Disposed of as not pressed with liberties as aforesaid.

Pending misc. application, if any, shall also stand disposed of accordingly.

August 17, 2023
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No