

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-22909-2023 (O&M)
Date of Decision:-11.10.2023

Daljit Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek Sharma and Mr. Pushp Jain, Advocates,
for the petitioner.

GURVINDER SINGH GILL, J.(Oral)

1. Learned counsel for the petitioner submits that pursuant to receipt of a complaint by one lady wherein some allegations of rape as well as of pushing her into drugs were levelled, the petitioner who was serving as a Deputy Superintendent of Police was suspended vide order dated 28.6.2018 passed by Director General of Police (Annexure P-1).
2. Thereafter, FIR No.2, dated 02.07.2018, under Sections 376/376C IPC and Sections 22/27/29 of the NDPS Act, Police Station Punjab State Crime, SAS Nagar, on similar allegations also came to be lodged. It has been submitted that the respondents without conducting any departmental inquiry proceeded to terminate the services of the petitioner vide order of even date passed by Additional Chief Secretary (Annexure P-5).

3. It has been submitted that no reasons were recorded for dispensing with the inquiry and that there is simple reference to provisions of Article 311(2)(b) of the Constitution of India, without there being anything to suggest as to why it was impracticable to hold an inquiry.
4. It has further been submitted that the petitioner faced the trial and came to be acquitted vide judgment dated 04.10.2021 passed by Special Court, SAS Nagar, Mohali (Annexure P-4) and although after his acquittal, he filed an appeal dated 14.12.2021 (Annexure P-7) to the Director General of Police, but the same has not been decided till date although he has also sent reminder dated 11.11.2022 (Annexure P-8).
5. Without commenting anything as regards the merits of the case, the instant petition is disposed of with a direction to respondent No.1-Principal Secretary, Department of Home Affairs, Punjab Civil Secretariat, to consider and dispose of appeal dated 14.12.2021 (Annexure P-7) in accordance with law expeditiously, preferably within a period of 4 months from today.
6. A copy of this order along with copy of appeal dated 14.12.2021 (Annexure P-7) be sent to respondent No.1-Principal Secretary, Department of Home Affairs, Punjab Civil Secretariat, for necessary compliance.

11.10.2023

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking /reasoned
Whether ReportableYes / No
Yes / No