

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

CWP-24232-2023

Date of decision : 30.10.2023

Angrej Singh and another

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Jasbir Singh Mor, Advocate
for the petitioners.

Ms. Rajni Gupta, Addl.A.G. Haryana.

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 certiorari for quashing memo dated 11.10.2023 (Annexure P-3) vide which charge sheet has been issued against the petitioners and departmental proceedings have been initiated.

2. Learned counsel for the petitioners has submitted that both the petitioners are in custody in FIR no.23 dated 05.10.2023 under Section 384 IPC and Section 7 of the Prevention and Corruption Act, registered at Police Station Anti Corruption Bureau, Karnal and have prayed that the departmental proceedings should not continue in their absence. It is further prayed that till the time the petitioners are not released on bail, the departmental proceedings should remain suspended.

3. Learned State counsel has submitted that till the time, the petitioners are not released on bail, the departmental proceedings should

remain suspended subject to the clarification that when the petitioners are released on bail, the departmental proceedings would resume and in case there is an inordinate delay in the release of the petitioners on bail then liberty be granted to the State to file an application for modification of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the respondent authority not to proceed with the departmental proceedings till the time the petitioners are released on bail.

5. It is clarified that as and when the petitioners are released on bail in FIR no.23 dated 05.10.2023 under Section 384 IPC and Section 7 of the Prevention and Corruption Act, registered at Police Station Anti Corruption Bureau, Karnal, the departmental proceedings shall resume. Liberty is granted to the State to move an application for modification of the present order in case the departmental proceedings are being unduly delayed.

(VIKAS BAHL)
JUDGE

October 30, 2023
Davinder Kumar

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