

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

115

CWP-25209-2023

Date of decision: 8th November, 2023

Kulwinder Devi

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vivek Sharma, Advocate for the petitioner.
Ms. Palika Monga, DAG, 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 the charge sheet dated 27.10.2023 (Annexure P-3) vide which the petitioner has been called upon to join the inquiry with regard to the same charges for which the FIR has been registered against the petitioner.
2. Learned counsel for the petitioner has stated that the petitioner is in custody and has prayed that further proceedings be kept in abeyance till the time petitioner is released on bail.
3. Learned State counsel has pointed out that in the present case after the charge sheet dated 27.10.2023 (Annexure P-3), inquiry has been concluded against the petitioner and show cause notice with respect to the proposed punishment has also been issued, which had been served upon the petitioner on 07.11.2023 and the same is not the subject matter of challenge in the present petition.

4. Learned counsel for the petitioner in view of the above said facts and circumstances has made a very limited prayer to the effect that further proceedings in pursuance to the show cause notice be kept in abeyance till the time the petitioner is released on bail.

5. Learned State counsel has submitted that liberty be granted to the State to move an application before this Court in case there is an inordinate delay in the release of the petitioner on bail.

6. Keeping in view the above said facts and circumstances, moreso, the fact that the petitioner is in custody, the present petition is disposed of with a direction to the respondent authorities not to proceed further in pursuance of the show cause notice now issued, till the time the petitioner is released on bail.

7. It is clarified that as and when petitioner is released on bail in FIR No. 28, dated 27.10.2023, under Section 7 of Prevention of Corruption Act, 1988, registered at Police Station Anti corruption Bureau, Ambala, the proceedings shall resume. Liberty is granted to the State to move an application for modification of the present order in case the proceedings are being unduly delayed.

8th November, 2023

naresh k./Parveen Sharma

(VIKAS BAHL)
JUDGE

Whether speaking/ reasoned
Whether reportable

: Yes / No
: Yes / No