

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

CWP-27600-2018

Date of decision : 11.05.2023

BALKAR SINGH

....Petitioner

Versus

STATE OF PUNJAB & ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Gurmohan S. Bedi, Advocate for the petitioner.

Mr. Inderpreet S. Kang, Asstt. Advocate General, Punjab.

PANKAJ JAIN, J. (ORAL)

On the last date of hearing, following order was passed :

“Additional affidavit of Narinder Singh, PPS, Deputy Superintendent of Police, Headquarter, Hoshiarpur in terms of order dated 12.10.2022 has been filed on behalf of respondents-State. The same is taken on record. Copy thereof has been supplied to counsel for the petitioner.

While issuing notice of motion, this Court observed as under:-

“The charge against the petitioner is of creating evidence by obtaining the signatures of the prosecutrix and her mother on a blank paper, and thereafter, incorporating their supplementary statements qua the charge of rape against certain accused, who were subsequently acquitted by the Court. Although the Enquiry Report dated 18.11.2013 exonerated the petitioner of the charges, however, the punishment of stoppage of two (02) annual increments with cumulative effect

was passed vide order dated 06.02.2015 (Annexure P-2), by relying upon a non-existence departmental enquiry report.

Notice of motion for 05.12.2018.

Dasti as well.

To be shown in the urgent list.”

Counsel representing the petitioner does not deny that the contention as noticed is factually incorrect and he prays for time.

On his request, adjourned to 11.05.2023.”

Counsel for the petitioner does not dispute that the contention recorded in the notice of motion order is factually incorrect.

In view of above, the present writ petition is dismissed with costs of Rs.20,000/-.

May 11, 2023
Dpr

(Pankaj Jain)
Judge

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No