

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

**CWP-1000-2024 (O&M)
Date of Decision:12.02.2024**

MALKIAT SINGH @ MALKEET SINGH Petitioner

Versus

STATE OF PUNJAB AND OTHERS Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Priyanshu Kamra, Advocate
for the petitioner.

Mr. Anurag Chopra, Addl. AG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 25.08.2020 (Annexure P-3) whereby petitioner was dismissed from service and order dated 08.12.2022 (Annexure P-5) whereby appeal of the petitioner has been dismissed.

2. The petitioner was working with respondent-Police Department as Assistant Sub Inspector. An FIR No.136 dated 24.08.2020, under Sections 384, 420 and 34 of IPC was registered against 4 persons including petitioner. The other 3 persons were also Police Officials. The allegation against all the Police Officials was that they had extorted a sum of Rs.2.5 Lakhs from Sukhwinder Singh. The SSP, Fazilka vide order dated 25.08.2020 (Annexure P-3) dismissed the petitioner from service. The petitioner preferred appeal before Appellate Authority which came to be dismissed vide order dated 08.12.2022 passed by Deputy Inspector General of Police, Ferozepur Range, Ferozepur.

3. Learned counsel for the petitioner submits that respondent has

reinstated 3 employees and only petitioner has been left out. The allegation against all the employees was same and they were accused in the same FIR and are facing trial. The complainant has turned hostile. The respondent acting in a pick and chose manner reinstated 3 officers and petitioner has not been reinstated. He has filed representation dated 28.12.2023 (Annexure P-9) but to no avail.

4. Notice of motion.
5. Mr. Anurag Chopra, Addl. AG, Punjab accepts notice on behalf of the respondent-State and waives service.
6. Learned State counsel does not dispute the fact that 3 Officers who are co-accused in the pending trial have already been reinstated. He asserts that Competent Authority would look into representation of the petitioner and pass an appropriate order within 8 weeks from today.
7. Learned counsel for the petitioner agrees with aforesaid arrangement.
8. In the wake of statement of learned State counsel, the present petition stands disposed of with a direction to respondents to decide representation dated 28.12.2023 (Annexure P-9) of the petitioner within 8 weeks from today. The petitioner is at liberty to file further submissions before adjudication of his representation.
9. Pending misc. application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)

JUDGE

12.02.2024

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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>