

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

(115)

CWP-1595-2024

Date of decision: - 24.01.2024

Ram Niwas

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Pradeep Duhan, Advocate
for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of the impugned order dated 22.11.2023 (Annexure P-1) passed by respondent No.3 vide which the departmental proceedings have been initiated against the petitioner.

2. Learned counsel for the petitioner has submitted that the petitioner is in custody in FIR No.17 dated 22.11.2023 under Section 7 of the Prevention of Corruption Act, registered at Police Station Anti Corruption Bureau (ACB), Rohtak and has prayed that the departmental proceedings should not continue in his absence. It is further prayed that till the time the petitioner is not released on bail, the departmental proceedings should remain suspended.

3. Learned State counsel has submitted that till the time, the

petitioner is not released on bail, the departmental proceedings should remain suspended subject to the clarification that when the petitioner is released on bail, the departmental proceedings would resume and in case there is an inordinate delay in the release of the petitioner 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 petitioner is released on bail.

5. It is clarified that as and when the petitioner is released on bail in FIR No.17 dated 22.11.2023 under Section 7 of the Prevention of Corruption Act, registered at Police Station Anti Corruption Bureau (ACB), Rohtak, 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.

January 24, 2024
naresh.k

(VIKAS BAHL)
JUDGE

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