

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

122

CWP-3086-2024
Date of Decision: 12.02.2024

Balbir Singh ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr.Manpreet Singh Dua, Advocate
for the petitioner.

Mr. Anurag Chopra, Addl.A.G., 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 notice dated 25.01.2024 (Annexure P-3) whereby respondent has proposed to dismiss him from service.
2. The petitioner is working with respondent as Sub Inspector. The petitioner was implicated in two FIRs i.e FIR No.191 dated 09.09.2019 and FIR No.121 dated 22.07.2020. He filed anticipatory bail which came to be dismissed by Sessions Court, SAS Nagar (Mohali), however, he has been granted concession of anticipatory bail by this Court in both the FIRs. The petitioner on account of aforesaid FIRs remained absent from duty from 29.08.2019 to 16.07.2021 i.e. 686 days. The respondent, on account of petitioner's absence from duty, passed two orders dated 13.06.2023 (Annexures P-5 and P-6) whereby respondent forfeited 5 (3+2) annual increments of the petitioner. The respondent for the same period has issued

impugned show cause notice proposing punishment of dismissal from service.

3. Learned counsel for the petitioner submits that the petitioner has already filed reply to show cause notice (Annexure P-7) and he apprehends that despite passing of two punishment orders, he may be dismissed from service.

4. Notice of motion.

5. Mr. Anurag Chopra, Addl.A.G., Punjab, accepts notice on behalf of the respondents and waives service.

6. With the consent of both sides, the petition is taken up for final disposal.

7. Learned State counsel asserts that the competent authority would adjudicate show cause notice after considering reply of the petitioner as well as earlier orders (Annexures P-5 and P-6) passed by Additional Director General of Police, Intelligence, Punjab.

8. In the wake of statement of learned State counsel, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

12.02.2024
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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>