

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-3304-2024
Date of decision : 15.02.2024

Ram Avtar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Piyush Aggarwal, 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 mandamus directing the respondents to defer the departmental enquiry initiated vide order dated 17.01.2024 (Annexure P-2) and order dated 23.01.2024 (Annexure P-4) till the time the petitioner is in police custody in FIR no.2 dated 19.01.2024 registered under Section 7 of the Prevention of Corruption Act, 1988 at District Anti Corruption Bureau, Haryana, Police Station ACB Rohtak.

2. Learned counsel for the petitioner has submitted that the petitioner is in custody in FIR no.2 dated 19.01.2024 registered under Section 7 of the Prevention of Corruption Act, 1988 at District Anti Corruption Bureau, Haryana, Police Station ACB Rohtak and has made a limited prayer in the present writ petition to the effect that till the petitioner

is not released on bail in the above said case, the departmental proceedings should remain suspended. Learned counsel for the petitioner has relied upon the order dated 30.10.2023 passed by this Court in similar circumstances in *CWP-24232-2023* titled as “*Angrej Singh and another vs. State of Haryana and others*”.

3. Keeping in view the above said facts and circumstances, the present writ petition is disposed of with a direction to the respondent authority not to proceed with the departmental proceedings initiated vide Annexures P-2 and P-4 till the time the petitioner is not released on bail in FIR no.2 dated 19.01.2024 registered under Section 7 of the Prevention of Corruption Act, 1988 at District Anti Corruption Bureau, Haryana, Police Station ACB Rohtak.

4. It is clarified that as and when the petitioner is released on bail in FIR no.2 dated 19.01.2024 registered under Section 7 of the Prevention of Corruption Act, 1988 at District Anti Corruption Bureau, Haryana, Police Station 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.

(VIKAS BAHL)
JUDGE

February 15, 2024
Davinder Kumar

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