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

CWP-5566-2024
Date of decision: 11.03.2024

Rakesh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Dr. Suresh Kumar Redhu, Advocate for the petitioner.

Ms. Palika Monga, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for the issuance of a writ in the nature of certiorari to quash the order No.2301-07 dated 12.01.2024 (Annexure P-2) vide which the Superintendent of Police, Jhajjar has initiated the departmental inquiry. Challenge has also been made to the subsequent proceedings including summary of allegations dated 15.01.2024 (Annexure P-4).
2. Learned counsel for the petitioner has submitted that the petitioner is in custody in FIR No.1 dated 12.01.2024 registered under Section 7 of the Prevention of Corruption Act, 1988 at Police Station Anti Corruption Bureau, Rohtak, Haryana 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.1 dated 12.01.2024 registered under Section 7 of the Prevention of Corruption Act, 1988 at Police Station Anti Corruption Bureau, Rohtak, Haryana.

4. It is clarified that as and when the petitioner is released on bail in FIR No.1 dated 12.01.2024 registered under Section 7 of the Prevention of Corruption Act, 1988 at Police Station Anti Corruption Bureau, Rohtak, Haryana, 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.

11.03.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No