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

CWP-5782-2024
Date of decision: 12.03.2024

Sandeep

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Mukesh Yadav, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., 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 certiorari for quashing the impugned show cause notice dated 01.03.2024 (Annexure P-10).
2. Learned counsel for the petitioner has made a limited prayer before this Court to the extent that the petitioner is in custody since 24.01.2024 in FIR No.63 dated 06.02.2023 (Annexure P-1) and thus, cannot avail the opportunity of personal hearing as given in the show cause notice dated 01.03.2024 (Annexure P-10). It is submitted that till the time the petitioner is not released in the said FIR, further action on the show cause notice not be taken and the petitioner would immediately file reply to the show cause notice once he has been granted bail in the abovesaid FIR. It is further submitted that the petitioner through his father had given representation dated 04.03.2024

(Annexure P-11) and would be satisfied at this stage, in case, the competent authority of respondent No.1-State is directed to consider the said representation dated 04.03.2024 (Annexure P-11) in a time bound manner and in case, the pleas raised in the same are found to be meritorious, then, to grant necessary relief, in accordance with law.

3. Learned State Counsel has submitted that the competent authority of respondent No.1-State would consider the said representation dated 04.03.2024 (Annexure P-11), in accordance with law, as expeditiously as possible, preferably within a period of one month from today.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of respondent No.1-State to consider representation dated 04.03.2024 (Annexure P-11), in accordance with law, within a period of one month from today and in case, the pleas raised in the same are found to be meritorious, then, the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised are not meritorious, then, a speaking order rejecting the same be passed within a period of one month from today.

5. This Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider the case of the petitioner independently, in accordance with law.

12.03.2024*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**