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

LPA-1478-2024 (O&M)

Date of decision : 12.08.2024

Ram Niwas**...Appellant**

Vs.

State of Haryana and others**...Respondents**

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Aditya Yadav, Advocate for the appellant.

Mr. Hitesh Pandit, Addl.A.G.Haryana.

DEEPAK MANCHANDA, J.

1. Through this intra-Court appeal, the appellant has assailed the judgment dated 20.06.2024 passed in CWP-11138-2024, wherein a learned Single Judge of this Court has rejected the appellant's prayer for not examining common witnesses in the departmental proceedings/enquiry ordered against him during the pendency of the criminal trial which he faces on the same grounds as in the departmental enquiry.

2. Learned counsel for the appellant submits that at the time of passing of the impugned judgment, the learned Single Judge has not considered the provisions of Rule 16.2 (2) and 16.3 of the Punjab Police Rule. He further submits that the witnesses in the departmental proceedings and the criminal trial would be the same and therefore, if they are examined in the departmental proceedings, he would be put to prejudice.

3. The learned Single Judge after relying upon the principles



enumerated in para 17 of the judgement passed in CWP-5111-2024, titled as “Mustaq Vs. State of Haryana and others” dismissed appellant’s writ petition. The said judgment has attained finality as intra Court appeal against the same being LPA No.1221-2024 has already been dismissed by a Coordinate Bench vide judgment dated 23.05.2024.

4. After perusing the pleadings of the present appeal, we find that the case of the appellant is covered against him by the judgment of this Court dated 23.05.2024 passed in LPA-1221-2024, titled as “Mustaq Vs. State of Haryana and others”.

5. In view of the above, the present appeal is also dismissed in terms of Mustaq’s case (supra).

6. All pending miscellaneous application(s), if any, also stand disposed of.

(DEEPAK MANCHANDA)
JUDGE

(DEEPAK SIBAL)
JUDGE

12.08.2024
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No