



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

111**CWP-32094-2024****Date of decision: 10.12.2024****MALKEET SINGH****...PETITIONER****Vs.****STATE OF PUNJAB AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. R.S. Randhawa, Advocate and
Ms. Taranum Madan, Advocate and
Mr. Anuj Chauhan, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, 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 order dated 01.08.2024 (Annexure P-5) to the extent he has been denied benefits accrued to him during his termination period.

2. The petitioner was a member of Punjab Police Force. He was implicated in FIR No. 266 dated 07.11.2021 under Section 7 of Prevention of Corruption Act, 1988 and Sections 18, 29, 59, 61 and 85 of Narcotics Drugs and Psychotropic Substances Act, 1985 at Police Station City Tarn Taran, District Tarn Taran. During the pendency of criminal proceedings, he without complying with mandate of Article 311 of the Constitution of India read with Rule 16.24 of Punjab Police Rules, 1934 was dismissed from service. He was acquitted by the trial Court vide judgment dated 08.02.2024. He on being acquitted was ordered to be reinstated by impugned order dated 01.08.2024, however, denied benefits accrued during his period of termination.



3. Mr. R.S. Randhawa, Advocate submits that respondents have rejected financial as well as other benefits of petitioner in a mechanical manner. The case of petitioner is squarely covered by judgment of this Court in '*Iqbal Singh Vs. State of Punjab and others*' (2024) SCC OnLine P&H 5027.
4. On being confronted with findings recorded by respondents and afore-stated judgment of this Court, Mr. Aman Dhir, DAG, Punjab submits that petitioner has remedy to file appeal and if he prefers appeal, the Appellate Authority would pass an appropriate order, considering judgment of this Court as well as relevant provisions.
5. Learned Counsel for the petitioner submits that petitioner is ready to approach Appellate Authority, however, Appellate Authority may be directed to decide his appeal without adverting to question of limitation.
6. In the wake of statement of both sides, the petition stands disposed of with liberty to petitioner to prefer an appeal before Appellate Authority. If he files appeal within 2 weeks from today, the Appellate Authority shall decide his appeal on merits.

10.12.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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