



CWP-34701-2024

1

126

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-34701-2024

Date of Decision: 19.12.2024

SUKHWINDER SINGH

..... Petitioner

Versus

THE STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. G.P. Vashisht, 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 29.07.2024 (Annexure P-7) to the extent he has been denied benefits accrued to him during his termination period.

2. The petitioner is a member of Punjab Police Force. He was implicated in FIR No. 266 dated 07.11.2021 under Sections 7 and 8 of Prevention of Corruption Act, 1988, Sections 18, 29 and 59 of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 201 of IPC, 1860 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 29.07.2024, however, denied benefits accrued during his period of termination.



CWP-34701-2024

2

3. Mr. G.P. Vashisht, 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. Notice of motion.

5. Mr. Aman Dhir, DAG, Punjab who on advance notice is present in Court, accepts notice on behalf of the respondent-State and waives service.

6. With consent of learned counsel for the parties, the case is taken up for final disposal.

7. On being confronted with findings recorded by respondents and afore-stated judgment of this Court, Mr. Aman Dhir, DAG, Punjab submits that if petitioner files representation to the DGP, an appropriate order considering judgment of this Court as well as relevant provisions shall be passed.

8. Learned counsel for the petitioner submits that petitioner is ready to approach the DGP.

9. In the wake of statement of both sides, the petition stands disposed of with liberty to petitioner to prefer representation before DGP who shall decide his claim as per aforesaid judgment as well as applicable Rules within 4 weeks from the date of representation.

(JAGMOHAN BANSAL)
JUDGE

19.12.2024

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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No