

**CWP-1675-2024 (O&M)****-1-**

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

110+287

**CWP-1675-2024 (O&M)
Date of Decision: 22.04.2025**

Madan Singh

...Petitioner

Versus

The Haryana State Agricultural Marketing Board and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**Present: - Mr. Sanchit Punia, Advocate for the petitioner**

Mr. Padam Kant Dwivedi, Advocate for the respondent

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to defer the departmental proceedings till the conclusion of trial arising out of FIR No.9 dated 01.06.2022 (Annexure P-1) under Section 384 of Indian Penal Code, 1860 and Section 7 of Prevention of Corruption Act, 1988 registered at Police Station S.V.B. Hisar, District State Vigilance Bureau.

2. The petitioner is working as Mandi Supervisor with Haryana State Agricultural Marketing Board since 21.06.2019. On account of his implication in the aforesaid FIR, he was suspended on 17.06.2022. The respondent initiated proceedings against him. Vide memorandum dated 20.07.2023, he was served charge sheet. The police after completing investigation has already presented its report before the Trial Court.



3. Learned counsel for the petitioner submits that case of the petitioner is squarely covered by judgment of Supreme Court in ***Capt. M. Paul Anthony v. Bharat Gold Mines Limited, 1999(3) SCC 679***. The foundation of trial as well as departmental proceedings is same, thus, unless and until he is found guilty, he should not be departmentally punished.

4. *Per contra*, learned State counsel submits that a Coordinate Bench of this Court after noticing judgment of Supreme Court in ***Capt. M. Paul Anthony's (supra)*** has dismissed a bunch of petitions including ***CWP No.15845 of 2023, Tulsi Dass v. State of Haryana and others***. The aggrieved officials preferred Intra-Court Appeals including ***LPA No.1255 of 2024*** and ***LPA No.1146 of 2024***. The Intra-Court Appeals stand dismissed vide judgment dated 22.05.2024 and 08.05.2024.

5. I have heard the arguments of learned counsel for both sides and perused the record with their able assistance.

6. It is undisputed fact that a Co-ordinate Bench of this Court has dismissed a bunch of petitions involving identical facts and issues. The judgment passed by a Co-ordinate Bench stands upheld by a Division Bench of this Court.

7. In the wake of judgment dated 22.05.2024 passed by Division Bench of this Court in ***LPA No.1255 of 2024, Tulsi Dass v. State of Haryana and others*** and judgment dated 08.05.2024 passed in ***LPA No.1146 of 2024 ASI Pawan Kumar v. State of Haryana and others***, it can be concluded that respondent cannot travel beyond the police report, thus, no prejudice is going to be caused to the petitioner, if he leads his defence in



departmental proceedings. There is no substance in the apprehension expressed by the petitioner.

8. In the backdrop, this Court is of the considered opinion that present petitions deserve to be dismissed and accordingly dismissed.

9. Pending application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

22.04.2025
Mohit Kumar

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