



CWP-3442-2025

-1-

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

115

CWP-3442-2025

Date of Decision :02.04.2025

Kuldip Singh**...Petitioner****Versus****Punjab State Power Corporation Limited
and others****...Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. A.P.S. Tung, Advocate for the petitioner.

Ms. Armaan Saggar, Advocate for respondents.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, prayer of the petitioner is for directing the respondents to release the retiral benefit as well as 100% pension along with interest.

2. Learned counsel for the petitioner submits that though, the petitioner has been convicted by the competent Court of law but in the revision petition being CrI. Revision No.1687-2012 filed by the petitioner, which is pending, the sentence has been suspended by this Court vide interim order dated 19.09.2012 (Annexure P/3)

3. Learned counsel for the petitioner further submits that as the sentence has been suspended by this Court, the retiral benefits of the petitioner could be released to him.

**CWP-3442-2025****-2-**

4. Learned counsel appearing for the respondents submits that the suspension of sentence is only an interim order and not the final order and till the petitioner is acquitted by the competent Court of law, the benefits which are being sought by the petitioner in the present petition cannot be extended to him.

5. Learned counsel for the petitioner submits that even if the petitioner is acquitted ultimately and the pensionary benefits are released thereafter, the petitioner will be caused prejudice as the petitioner will not be able to use the said amount.

6. I have heard learned counsel for the parties and have gone through the record with their able assistance.

7. The present petition has only been filed on the basis of the interim order passed in favour of petitioner by which, the sentence has been suspended during the pendency of the revision petition and the petitioner has been released on bail. Merely that the sentence has been suspended does not mean that petitioner has been acquitted. Once, the criminal proceedings are pending against the petitioner, the respondents have valid jurisdiction to withhold certain retiral benefits, such as gratuity and leave encashment. In case, the petitioner is ultimately found innocent and acquitted, he will get all the retiral benefits, which have been withheld by the respondents along with interest and the petitioner will be duly compensated for not being able to use the amount which belonged to him but retained by the respondents.

7. Keeping in view the said facts, at this stage, no relief can be granted to the petitioner. Hence, the present petition is disposed of with the observation that in case, the petitioner is ultimately found innocent and

**CWP-3442-2025****-3-**

acquitted by the competent Court of law, all the retiral benefits will be released to the petitioner along with interest applicable, which as of now is 6% per annum.

April 02, 2025**(HARSIMRAN SINGH SETHI)***aarti***JUDGE***Whether speaking/reasoned : Yes**Whether reportable : No*