



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

CWP-3654-2025

Date of Decision: 10.02.2025

Kala Khan

.....Petitioner(s)

Versus

State of Punjab and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Rajesh Punj, Advocate,
Mr. Sahaj Punj, Advocate,
and Mr. Sarvesh Rattan, Advocate, for the petitioner.

Mr. Aman Dhir, DAG, Punjab,

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition filed under Articles 226 and 227 of the Constitution of India is seeking setting aside of order dated 25.01.2019 (Annexure P-1) whereby he was dismissed from service invoking Clause (b) of 2nd proviso to Article 311(2) of the Constitution of India, Para 16.1 of Punjab Police Rules, 1934 and Section 7 of Punjab Police Act, 1861.

2. The petitioner has been convicted by Trial Court in a case arising out of FIR No.18 dated 16.01.2019 under Section 302 IPC and under Sections 27, 54, 59 of Arms Act, 1959 registered at Police Station Dera Bassi, SAS Nagar. The petitioner submits that he was dismissed from service while he was in custody and is still in custody. His brother preferred an appeal before Appellate Authority against order of dismissal. The Appellate Authority may be directed to decide his appeal.

3. Mr. Aman Dhir, DAG, Punjab, who on advance notice is present in Court, assures the Court that Appellate Authority would decide appeal of petitioner, pending if any, within 3 months from today.

4. Mr. Punj agrees to the aforesaid arrangement.

5. In the wake of statement of both sides, the instant petition stands disposed of.

10.02.2025

shivani

(JAGMOHAN BANSAL)
JUDGE

Shivani Gupta
2025.02.11 16:03
Whether reasoned/speaking
Whether reportable

Yes
No