



133

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

CWP-4348-2025**Date of Decision: 17.02.2025****SHRI BHAGWAN**

..... Petitioner

*Versus***THE STATE OF HARYANA AND ORS**

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Ms. Gurpreet Kaur, Advocate for
Mr. Ankur Lal, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. AG, Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of show cause notice for inflicting the punishment of dismissal from service.

2. The petitioner claims that criminal proceedings are still pending, thus, departmental proceedings cannot be concluded. The respondent has wrongly issued him show cause notice proposing punishment of dismissal from service.

3. The petitioner was implicated in FIR No.34 dated 24.08.2023, under Section 7 of the Prevention of Corruption Act, 1988 registered against him. The Police, as submitted by Ms. Rajni Gupta, Addl. AG, Haryana, has already presented challan. Trial is going on. The show cause notice proposing punishment cannot be set aside on the ground that trial is still pending. The petitioner has right to prefer appeal



thereafter revision, if any adverse order is passed by the Disciplinary Authority in the departmental proceedings. Haryana Police Act, 2007 read with Punjab Police Rules, 1934 (for short ‘PPR’) provides complete machinery with respect to departmental proceedings. The respondent has followed procedure as prescribed under Rule 16.24 of PPR and Article 311 of the Constitution of India. The show cause notice proposing punishment cannot be set aside on the ground that criminal proceedings are still pending.

- 4. Dismissed.
- 5. It is made clear that dismissal of this petition would not be construed as opinion of this Court *qua* punishment proposed by respondent.

(JAGMOHAN BANSAL)
JUDGE

17.02.2025
Ali

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No