



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-10487-2003 (O&M)
Date of Decision: 26.11.2025

Gurbachan Singh ...Petitioner
Versus
State of Punjab and Others ...Respondents
And

Sr. No.	Case No.	Petitioner(s)	Respondent(s)
2.	CWP-18628-2004	Gurbachan Singh	State of Punjab and Others
3.	CWP-11654-2003	Gurbachan Singh	State of Punjab and Others

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Ayush Gupta, Advocate
for the petitioner
in **CWP-10487-2003** and **CWP-11654-2003**.

Mr. Arun Jindal, Addl. A.G., Punjab.

JAGMOHAN BANSAL, J. (ORAL)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from **CWP-10487-2003**.
2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking quashing of order dated 29.05.2003 whereby he was placed under suspension w.e.f. 29.12.1986. He is further seeking directions to respondent to reinstate him w.e.f. 29.12.1986 with full back wages.
3. The petitioner joined Punjab Armed Police as Constable on

11.09.1970. He had to superannuate on 31.10.2003. While he was posted as incharge of Gazetted Officers Mess at Jalandhar, some unidentified persons fired upon then Director General of Police, Punjab where he escaped unhurt, however, one CRPF Jawan was killed. An FIR No.69 dated 03.10.1986 under Sections 302, 307, 148, 149 and 120-B of IPC and Sections 25, 54 and 59 of Arms Act, 1959 and Sections 3 and 4 of Terrorist And Disruptive Activities (Prevention) Act, 1987 was registered at Police Station Jalandhar Cantt. against the petitioner and others. He was arrested and dismissed from service on 29.12.1986 without holding departmental inquiry. He filed Civil Suit assailing termination order. Civil Court vide order dated 28.10.1991 set aside termination order. The respondent preferred an appeal which came to be dismissed by learned Additional District Judge, Jalandhar vide order dated 09.11.1995. Learned Additional Judge, Designated Court Jalandhar vide judgment dated 03.11.1997 acquitted the petitioner in aforesaid FIR. State preferred ***RSA No.947 of 1996*** assailing order dated 09.11.1995 passed by Additional District Judge, Jalandhar. During the pendency of RSA, respondent agreed to reinstate petitioner. He was reinstated from the date of dismissal with full back wages. This Court vide order dated 30.05.2002 dismissed RSA as infructuous. The respondent vide order dated 16.07.2002 withdrew order of reinstatement of the petitioner. He preferred application seeking order of recalling of RSA which was dismissed vide order dated 26.09.2002. He filed an execution application before Civil Judge, Jalandhar. Learned Civil Judge issued notice and asked respondent to permit the petitioner to join service. He was allowed

to join service w.e.f. 29.05.2003 but in the same breath was placed under suspension from the date of dismissal from service i.e. 29.12.1996. He was held guilty in the departmental proceeding. He was dismissed w.e.f. 31.10.2003. His service period from 29.12.1986 to 31.10.2003 was treated as suspension period.

4. Learned counsel representing the petitioner submits that he has no instructions and leaves to this Court to determine amount of compensation, if any, payable to the petitioner.

5. *Per contra*, learned State counsel expressed his inability to controvert aforestated facts, however, submits that petitioner was reinstated by mistake. He was involved in terrorist activities, thus, was not entitled to reinstatement and back wages.

6. To resolve the dispute and considering the facts & circumstances of the case, this Court finds it appropriate to direct respondent to pay a sum of Rs.5,00,000/- to petitioner if he or his wife/daughter/son moves an application in this regard.

7. ***Disposed of.***

8. The petitioner is at liberty to move an appropriate application within three months from today, if cause survives.

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

(JAGMOHAN BANSAL)
JUDGE

26.11.2025
Prince Chawla

Whether Speaking/reasoned: Yes/No
Whether Reportable: Yes/No