



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

902

CWP-18758-2005 (O&M)

Date of decision: 06.05.2025

Gurnam Singh

....Petitioner

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner

Mr. Charanpreet Singh, AAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the order of dismissal dated 04.03.2002 as well as order dated 27.07.2005 passed by the Appellate Authority.

2. As is apparent from the averments made in the petition that the FIR No.42 dated 05.08.1994 was registered against the petitioner under Section 13 (2) of Prevention of Corruption Act, 1988 along with Section 161 IPC, while he was working as Senior Industrial Promotion Officer, wherein he was convicted vide order dated 06.06.2000 and sentenced to undergo imprisonment for one year along with Rs.2,000/- as fine.

3. The present petition was admitted to be heard after the decision in the criminal appeal No.625-SB of 2000, filed against the aforesaid conviction, which was pending at that time, however, the same came to be dismissed on 30.11.2010, observing therein that the demand and acceptance of illegal gratification had been clearly established on record by the prosecution by leading evidence against which no SLP has been filed.



4. In **Sushil Kumar Sikka vs. Uhbvn And Ors.**, CWP-12564-2004, the Division Bench vide judgment dated 14.09.2005, while placing reliance on the judgment of Hon'ble the Supreme Court in **The Deputy Director of Collegiate Education (Administration), Madras vs. S. Nagoor Meera**, 1995 (2) SLR 379, observed that until the said conviction is set aside by the Appellate Court, it may not be advisable to retain such a person in service.

5. Petition dismissed.

(AMAN CHAUDHARY)
JUDGE

06.05.2025

M.Kamra

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