

2025:PHHC:070370



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

1017

CWP-1561-2007 (O & M)
Date of decision: 23.05.2025

Kashmir Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ankit Bhincher, Advocate for
Mr. S.P.S.Sidhu, Advocate,
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 termination.
2. FIR No.2 dated 23.01.2004, under Sections 120-B, 467, 468 and 471 IPC and 7 and 13(1) (D) read with Section 13(2) of the Prevention of Corruption Act, at Police Station Vigilance Bureau, Jalandhar, came to be lodged against the petitioner, who was working as Patwari, wherein he was convicted and sentenced to undergo imprisonment for 5 years and pay fine of Rs.5000/-, vide judgment dated 01.06.2005, against which appeal being CRA-S-1112-SB-2005 was filed wherein his sentence has been suspended on 04.10.2005.
3. This Court, vide judgment dated 14.09.2015, dismissed the said appeal finding there to be no infirmity or illegality in the judgment

and the petitioner was directed to surrender for undergoing remaining imprisonment, against which SLP stands disposed of on 03.10.2016 with the modification of sentence to the period already undergone by him.

4. In a case of corruption/misappropriation, dismissal is the only appropriate punishment, was held by Hon'ble the Supreme Court in **Municipal Committee, Bahadurgarh vs. Krishnan Bihari & Ors.** AIR 1996 SC 1249 and **Divisional Controller N.E.K.R.T.C. v. H. Amaresh**, AIR 2006 SC 2730 and **U.P.S.R.T.C. v. Vinod Kumar**, (2008) 1 SCC 115. Moreover, the order in the present case having been passed after affording an opportunity of hearing and his conviction having been upheld, does not warrant any interference.

5. Petition dismissed.

23.05.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No