



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

206

CWP-2029-2016

Date of Decision: 08.09.2025

TALJINDER SINGH

...Petitioner

Vs.

STATE OF PUNJAB & ORS

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Inderjit Sharma, Advocate for the petitioner

Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of order dated 23.11.2015 whereby respondent has discharged him from service.

2. The petitioner's father was serving as Special Police Officer with Punjab Police. He passed away in an encounter with terrorist on 24.01.1991. On account of courageous and gallant act of petitioner's father, the respondent in May' 2004 appointed petitioner's brother as Constable who passed away in an accident on 01.05.2004. The respondent considered petitioner for the post of Constable and he was issued appointment letter dated 17.10.2013 with a condition that his appointment shall be liable to be recalled if any fault is found in his character. The respondent conducted character verification and found that an FIR under Section 60 dated 23.06.2008 under Sections 452, 326,

324, 323, 427, 148, 149 registered at Police Station Kahnuwan Tehsil and District Gurdaspur is pending against him. The respondent by impugned order cancelled his appointment.

3. Learned counsel for the petitioner submits that petitioner was wrongly implicated in aforesaid FIR. No role was attributed to him still he was implicated. The matter was ultimately compromised in 2016 and this Court quashed FIR on 30.01.2024 on the basis of compromise.

4. Learned State counsel submits that petitioner was involved in aforesaid FIR prior to his appointment as Constable. A person who was facing criminal charge could not be appointed as Police officer.

5. I have heard learned counsel for the parties and perused the record of the case.

6. From the perusal of record, it is evident that petitioner was issued appointment letter on compassionate ground. At the time of his appointment, he was facing criminal proceedings. FIR was registered in 2008 and appointment was made in 2013. The FIR was ultimately set aside in 2024 by this Court on the basis of compromise. The petitioner did not bring factum of pending FIR in the knowledge of authorities prior to his appointment whereas, during character verification it was found that he is involved in a criminal case. Had FIR been quashed prior to date of appointment or petitioner disclosed to authorities factum of FIR prior to his appointment, the situation could be different. Further FIR was quashed in 2024 on the basis of compromise. Meaning thereby, the petitioner continued to face proceedings for more than 10 years after his

appointment letter. The credentials are scrutinized at the time of appointment. The subsequent quashing of FIR and that too after almost 10 years cannot come to his rescue.

7. In the wake of above factual position, this Court is of the considered opinion that the instant petition deserves to be dismissed and accordingly dismissed.

8. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

08.09.2025
Deepak DPA

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