



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

**CWP No. 17402-2017(O&M)
Date of Decision:23.09.2025**

Constable Sushil Kumar

....Petitioner

VS.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Karamveer Singh Banyana, Advocate
for the petitioner

Mr. Ravi Partap Singh, D.A.G, 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:-

- I. Enquiry report dated 01.10.2011 (Annexure P-2);
- II. Order dated 18.11.2011 (Annexure P-4) whereby he was awarded punishment of stoppage five annual increments with permanent effect
- III. Order dated 15.05.2012 (Annexure P-6) whereby his appeal was dismissed; and
- IV. Order dated 08.08.2012 (Annexure P-8) whereby his revision petition was dismissed.



2. Learned counsel for the petitioner submits that respondent initiated proceedings against more than twenty police officials alleging that they have relations with a lady (Nisha Talwar) who was allegedly involved in prostitution. Names of all the police officials were found recorded in the diary maintained by said lady. She faced prosecution and was acquitted vide judgment dated 30.03.2016 passed by Trial Court. The respondent has exonerated or awarded minor punishment to similarly situated employees, however, petitioner was awarded punishment of forfeiture of five annual increments with permanent effect. This Court vide order dated 12.03.2025 passed in ***CWP No. 18783 of 2016***, titled as “***Jai Pal vs. State of Haryana and others***” directed the respondent to reconsider case of petitioner therein. The respondent has passed fresh order dated 10.06.2025 whereby Jai Pal-co accused has been awarded minor punishment of warning. The punishment awarded to petitioner needs to be reconsidered on the ground of parity.

3. On being confronted with order dated 12.03.2025 passed in ***Jai Pal (Supra)*** and order dated 10.06.2025 passed by Superintendent of Police, Kurukshetra, learned State counsel expressed his inability to controvert the fact that petitioner was co-accused in the alleged offence, however, submits that petitioner was actively participating in the alleged offence.

4. From the perusal of record, it cannot be concluded that petitioner was active participant of prostitution or accomplice of a lady who was involved in prostitution. The case of petitioner deserves to be reconsidered in the light of ***Jai Pal (Supra)*** and order dated 10.06.2025 passed by Superintendent of Police, Kurukshetra.

5. In the wake of above discussion and findings, the petition stands disposed of with a direction to respondent to reconsider case of the petitioner in light of *Jai Pal (Supra)* and order dated 10.06.2025 passed by Superintendent of Police, Kurukshetra.
6. Let the needful be done within three months from today.
7. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

23.09.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No