



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

CWP-20091-2017

Date of Decision: 31.07.2025

Surender Singh

.....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Mohinder Pal, Advocate,
for the petitioner.

Mr. Shashank Bhandari, Addl. A.G., Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226 and 227 of the Constitution of India is seeking setting aside of order dated 17.10.2016 whereby he has been reverted to the rank of Constable from the rank of Head Constable.

2. The petitioner joined Haryana Police Force as Constable on 15.08.2004. He was made part of Haryana Armed Police. He came to be promoted as Head Constable. In 2014 while he was posted at Police Station Sadar, Hansi an FIR No.355 dated 05.10.2014 under Sections 323, 324, 326, 452, 506 IPC came to be registered. The petitioner was investigating said FIR. One person namely Balwan Singh was arrested in said FIR on 15.12.2014. On account of complaint of Sharvan Kumar, FIR No. 1 dated 01.01.2015 under Section 7 of Prevention of Corruption Act, 1988 at Police



Station SVB, Hisar was registered against petitioner. The respondent conducted departmental inquiry. The petitioner was found guilty and Disciplinary Authority vide order dated 05.02.2016 dismissed him from service. He unsuccessfully preferred appeal before Appellate Authority. He preferred revision before DGP against orders of Disciplinary as well as Appellate Authority. In the interregnum, the Investigating Officer filed police report against the petitioner before Special Judge, Hisar who finally acquitted him vide judgment dated 11.07.2016. The DGP noticing the fact that petitioner has been acquitted by Trial Court decided to substitute the punishment from dismissal from service to reduction in rank. The petitioner was accordingly reduced from the rank of Head Constable to Constable.

3. On being asked, Mr. Mohinder Pal, learned counsel for the petitioner expressed his inability to controvert the fact that Revisionary Authority was quite competent to substitute the punishment of dismissal from service for reduction in rank.

4. The punishment of reduction in rank is lower than punishment of dismissal from service. Higher Authorities without notice cannot enhance punishment, however, reduction in punishment amounts to partially allowing the appeal/revision. Thus, grievance of petitioner cannot be countenanced.

5. At this stage, Mr. Mohinder Pal submits that petitioner may not be deprived from further promotion to the rank of Head Constable. He has already cleared Lower School Course, thus, he deserves to be promoted in due course.



This Court finds substance in the claim of petitioner and is sanguine of the fact that competent authority would consider his claim in accordance with law.

6. Disposed of.

31.07.2025 shivani	(JAGMOHAN BANSAL) JUDGE
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Whether reasoned/speaking	Yes
Whether reportable	No