



CWP-24473-2016

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

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Date of Decision: 26.08.2025

BACHITTAR SINGH

...Petitioner

Vs.

STATE OF PUNJAB AND ORS

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. R.V.S. Chugh, 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 24.05.2016 whereby he has been denied post of Constable in District Police.

2. The petitioner pursuant to advertisement of 2010 applied for the post of Constable. The final result was declared in 2011. He came to be implicated in FIR No.69 dated 01.10.2010 under Section 498A, 494 IPC registered at Police Station Kamboh, District Amritsar, after filing application form. The respondent approved result on 01.07.2011. The waiting list was operative for six months from the said date i.e. till 01.01.2012. The petitioner filed CRM-M before this Court seeking setting aside of FIR on the basis of compromise. This Court vide

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order dated 02.04.2014 set aside aforesaid FIR on the basis of compromise. The petitioner approached the authorities to issue him appointment letter, however, respondent vide impugned order rejected his claim on the ground that he could be considered at the most during the currency of waiting list. He was acquitted on 02.04.2014 whereas waiting list expired on 01.01.2012.

3. Learned counsel for the petitioner submits that petitioner was implicated in FIR under Section 498A and 494 of IPC. It was a family dispute and he could not be deprived from opportunity of job. The respondent has rejected claim of petitioner on the ground that he was not acquitted within validity of the waiting list. There are many candidates who were acquitted after the expiry of waiting list still they were enlisted.

4. *Per contra*, learned State counsel submits that credentials of the candidates are examined during the course of Police verification. At the time of Police verification, the petitioner was facing FIR under Section 498A and 494 IPC. As per Policy decision, candidates who were acquitted during the validity of waiting list were appointed, though, as per Rules could be ignored. There is no candidate who was appointed despite his acquittal after the expiry of waiting list. There may be a case with respect to another selection process, however, there is no case with respect to advertisement in question. The petitioner is working with PAP since 2011.

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

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6. From the perusal of record, it is evident that selection process completed on 01.07.2011 and waiting list expired on 01.01.2012. As per Punjab Police Rules, 1934, the credentials of a candidate are relevant as on the date of Police verification. The respondent taking lenient view has decided to enlist even those candidates who were acquitted before the expiry of waiting list. The petitioner is working with Punjab Armed Police (in short 'PAP') since 2011. Pay and allowances of members of PAP as well as District Police are same. These are two different cadres of Punjab Police Service. Both are governed by same rules and regulations.

7. The petitioner is working with PAP and if this petition is allowed, he at the most would be permitted to join District Police. He cannot be given seniority from 2011 because he was acquitted in 2014. If he is permitted to join at this stage, he would be at bottom of the seniority list which would adversely affect his salary as well as future prospects. None of the counsel could explain as to how, petitioner was selected in PAP and rejected for District Police. This is strange that despite selection of petitioner in PAP, he is denied the same post in District Police. The petitioner is also not raising the issue that he has been selected in PAP and rejected for District Police.

8. In the wake of afore-stated factual position, this Court does not find it appropriate to adjudicate claim of petitioner on merit for the post of Constable in District Police.

9. Dismissed.



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

(JAGMOHAN BANSAL)
JUDGE

26.08.2025
Deepak DPA

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