



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

**CWP No.20757-2021(O&M)
Date of Decision: 23.07.2025**

Pritpal Singh

....Petitioner

VS.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Raghav Chadha, Advocate
for the petitioner

Mr. Aman Dhir, DAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 09.07.2019 (Annexure P-3) whereby he was dismissed from service. He is further seeking setting aside of order dated 06.10.2020 (Annexure P-7) passed by Appellate Authority.

2. The petitioner joined Punjab Police Force as Constable on 16.05.1992. He was embroiled in two FIRs bearing No. 61 dated 02.07.2019, under Sections 21, 22, 29 and 31 of NDPS Act, 1985 registered at Police Station City NawanShahar, District NawanShahar and 102 dated 02.07.2019, under Sections 21, 22, 25 and 29 of NDPS Act, 1985, registered at Police Station City NawanShahar, District NawanShahar. He faced trial.



He was acquitted in FIR No. 61 dated 02.07.2019, however, was held guilty in FIR No. 102 dated 02.07.2019. He was sentenced to imprisonment of two months. The Disciplinary Authority invoking Clause (b) of 2nd proviso to Article 311(2) of Constitution of India dismissed him from service. He unsuccessfully preferred appeal. During the pendency of instant petition, he has been acquitted by this Court vide judgment dated 15.04.2024 passed in CRA-S-471 of 2024.

3. Mr. Raghav Chadha, Advocate submits that petitioner was dismissed from service without conducting departmental enquiry as contemplated by Rule 16.24 of Punjab Police Rules, 1934 (in short “PPR”) read with Article 311(2) of Constitution of India. There was no compelling reason to dispense with enquiry. The respondent mechanically dispensed with enquiry. The petitioner has been acquitted in both criminal cases, thus, he needs to be reinstated in terms of Rule 16.3 of PPR.

4. Mr. Aman Dhir, DAG, Punjab expressed his inability to controvert the fact that petitioner was not subjected to Departmental Enquiry and straight away dismissed as soon as FIRs were registered against him. He, nevertheless, submits that petitioner, at present, is facing third FIR which is also under the NDPS Act. The Disciplinary Authority would conduct enquiry as contemplated by Rule 16.24 of PPR and pass a fresh order within six months from today. He prays that petitioner may not be reinstated during the intervening period as he is facing third FIR.

5. In the wake of statement of both sides, the instant petition stands allowed with liberty to respondent to conduct enquiry and pass appropriate order within six months from today. The petitioner shall not be

deemed to be reinstated if enquiry is concluded within six months from today. His fate would be subject to outcome of enquiry if completed within six months from today. The Disciplinary Authority would decide his entitlement to consequential benefits, in accordance with law. The Disciplinary Authority shall conduct enquiry without being influenced by this order.

6. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

23.07.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No