



CWP-17110-2025

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

125

CWP-17110-2025

Date of Decision: 01.07.2025

Parmjit Singh Constable

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Gursimran Singh Bhatia, Advocate for the petitioner

Mr. Aman Dhir, Deputy Advocate General, 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 10.05.2022 whereby he was dismissed from service and order dated 01.08.2023 whereby his appeal has been dismissed.

2. The petitioner joined Punjab Police Force as Constable on 11.07.2012. On 26.06.2020, the respondent conducted dope tests of nine police officials out of whom seven tested positive and were found to be drug addicts. The respondent issued charge sheet alleging misconduct. The respondent granted time to the petitioner to reform himself. He underwent medical treatment. The respondent again conducted dope test on 26.04.2022 and in the report dated 27.04.2022, it was found that petitioner is still under the influence of drugs. He was found positive in the dope test. Left with no other option, the respondent dismissed him from service vide order dated



10.05.2022. He unsuccessfully preferred appeal before the Appellate Authority.

3. Learned counsel for the petitioner *inter alia* contends that punishment of dismissal from service is disproportionate to alleged misconduct.

4. Mr. Aman Dhir, Deputy Advocate General, Punjab, who on advance notice is present in Court, submits that as per Rule 22 of Government Employees (Conduct) Rules, 1966 (for short '**1966 Rules**'), consumption of intoxicating drinks and drugs is strictly prohibited for a Government Employee. The petitioner was granted sufficient time to improve himself. Any interference by this Court would give wrong signal.

5. I have heard the arguments of learned counsel for both sides and perused the record with their able assistance.

6. The petitioner was part of Police Force which is entrusted with the responsibility of curbing drug menace- a widespread issue in the State of Punjab. Rule 22 of the 1966 Rules specifically prohibits consumption of intoxicating drinks and drugs. For the ready reference, the said Rule is reproduced as below: -

“22. Consumption of intoxicating drinks and drugs.-

A Government employee shall

(a) strictly abide by any law relating to intoxicating drinks or drugs in force in any area in which he may happen to be for the time being;

(b) not be under the influence of any intoxicating drink or drug during the course of his duty and shall also take due care that the performance of his duty any



time is not affected in any way by the influence of such drink or drug; and

(bb) refrain from consuming any intoxicating drink or drug in a public place.

(c) not appear in a public place in a state of intoxication.

(d) not use any intoxicating drink or drug to excess.

Explanation- For the purpose of this rule, public place means any place or premises (including a conveyance) to which the public have, or are permitted to have, access to whether on payment or otherwise.”

7. The petitioner concededly was consuming intoxicating substance. Despite being afforded sufficient opportunity for reformation, no meaningful improvement was observed. The State of Punjab is grappling with a severe drug menace. In such circumstances, police personnel who themselves indulge in substance abuse cannot be expected to discharge their duties effectively or uphold the rule of law in the interest of public welfare. The petitioner was indubitably guilty of misconduct. His act and conduct does not warrant any lenient view.

8. In the wake of above discussion and findings, this Court is of the considered opinion that present petition being bereft of merit deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

01.07.2025
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No