



CWP-26932-2016

-1-

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

217

CWP-26932-2016

Date of Decision: 21.01.2025

Naresh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - None for the petitioner

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. On 22.12.2016, this Court passed the following order: -

*“Learned counsel for the petitioner has placed reliance on the judgment of the Supreme Court in the case of **Union of India Vs. Ram Kishan, 1972 SLR 11** and this Court in **State of Haryana Vs. Ex. HC Anant Ram 2015 (4) SCT 575** in support of his contention that for initiating departmental enquiry against the petitioner, sanction of the Magistrate was not obtained, although, it is mandatory under Rule 16.38 of the Punjab Police Rules, 1934. He further contends that final order in the departmental proceedings has not yet been passed.*

Issue notice to respondents, returnable on 16.02.2017.

In the meantime, respondents are restrained from passing final order in the departmental proceedings.”

2. Learned State counsel submits that on account of acquittal of the petitioner in criminal case, the departmental proceedings have been dropped vide order dated 04.08.2023, thus, instant petition has rendered infructuous.

**CWP-26932-2016****-2-**

3. In the wake of statement of learned State counsel, the present petition stands dismissed as infructuous.

4. There is no representation of the petitioner. The petitioner is at liberty to move an appropriate application within three months if cause survives.

(JAGMOHAN BANSAL)
JUDGE

21.01.2025*Mohit Kumar*

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