



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

CWP-17698-2025

Date of Decision: 01.07.2025

Surender Singh

....Petitioner

Vs.

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Aditya Yadav, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

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 30.04.2025 (Annexure P-10) passed by respondent No.4 whereby petitioner has been prematurely retired from service.

2. The petitioner joined Haryana Police Force as Constable on 08.09.1989. He from time to time was promoted to higher ranks. He was implicated in FIR No.325 dated 28.10.2015, under Sections 7 and 13 of Prevention of Corruption Act, 1988 registered at Police Station Hathin. The respondent started a departmental inquiry against him. The petitioner stood acquitted in the aforesaid FIR vide order dated 22.08.2019 (Annexure P-6). Despite his acquittal, he was awarded punishment of censure vide order dated 11.11.2019. Vide order dated 13.01.2020 (Annexure P-7), Commissioner of Police, Faridabad reviewed order dated 11.11.2019 and enhanced the punishment to stoppage of one annual

increment. The petitioner preferred appeal against aforesaid order which was dismissed vide order dated 04.03.2022 (Annexure P-8). Respondent No.4 issued notice dated 28.04.2025 (Annexure P-9) vide which petitioner was ordered to compulsorily retire on the expiry of three months. Respondent No.4 passed another order dated 30.04.2025 vide which it has been ordered that petitioner will stand retired w.e.f. 30.07.2025.

3. Mr. Aditya Yadav, Advocate submits that impugned order is stigmatic and in the teeth of judgment passed by this Court in *Civil Writ Petition No.2766 of 2025* titled as '*Naresh Kumar Vs. State of Haryana and others*' passed on 13.02.2025.

4. On being confronted with impugned order and afore-cited judgment, Ms. Rajni Gupta, Addl. A.G., Haryana who on advance notice is present in Court expressed her inability to controvert the fact that impugned order is stigmatic, however, submits that respondent may be granted liberty to pass fresh order in accordance with law.

5. In the wake of judgment dated 13.02.2025 passed by this Court in Naresh Kumar (supra), the impugned order deserves to be set at naught. Accordingly, the impugned order is hereby set aside with liberty to respondent to pass fresh order in accordance with law. It is made clear that fresh order, if any, shall be passed in accordance with law.

6. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

01.07.2025

Prince Chawla

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