

**CWP-22303-2025****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH************111****CWP-22303-2025****Date of Decision: 08.08.2025****RAKESH KUMAR****...Petitioner****Vs.****STATE OF HARYANA AND ORS****...Respondents****CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL****Present:- Mr. Nav Mohit Singh, Advocate
for the petitioners****Mr. 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 show cause notice whereby respondent has called upon him to show cause as to why punishment of dismissal from service may not be inflicted.

2. The petitioner joined Haryana Police Force as Constable on 10.06.2007. An FIR No.329 dated 06.09.2024 was registered against him alleging demand of Rs.10,000/- from complainant-Kapil. He was arrested and suspended on 24.10.2024. The respondent appointed an Enquiry Office who after completing enquiry submitted his report. On the basis of report of Enquiry Officer, the respondent-Disciplinary Authority has issued show cause notice calling upon him to show cause as to why punishment of dismissal from service should not be inflicted.



3. Mr. Nav Mohit Singh, Advocate submits that Enquiry Officer during the course of examination has refused to answer three questions and stated that he will answer at the time of deposition in the Hon'ble Court.

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

5. From the perusal of record, it is evident that Enquiry Officer has completed the enquiry and submitted his report. The Disciplinary Authority has issued show cause notice on the basis of enquiry report. The petitioner has been called out to show cause as to why he should not be dismissed from service. He is claiming that Investigating Officer did not answer material questions during cross-examination. He has stated that he would answer before the Hon'ble Court. Criminal proceedings are pending before trial Court. Till the conclusion of trial show cause notice should be stayed.

6. The Disciplinary Authority has issued show cause notice. The petitioner has been asked to file reply. The competent authority would pass order after considering reply of the petitioner. If any adverse order is passed, the petitioner would get opportunity to file appeal before the Appellate Authority and revision before the DGP. He would also be entitled to approach this Court against the orders of authorities. As petitioner has multiple alternative remedies and has been simply asked to put forth his stand against proposed punishment, this Court does not find it appropriate to interdict departmental proceedings.



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7. In the wake of aforesaid findings, this Court is of the considered opinion that the instant petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

08.08.2025
Deepak DPA

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