



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

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CWP-26374-2025 (O&M)
Date of decision : 19.11.2025

Kuldip Singh

....Petitioner

V/S

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Deepak Arora, Advocate with
Mr. K.K. Sarthi, Advocate for the petitioner.

Mr. Surya Kumar, A.A.G., Punjab.

NAMIT KUMAR, J. (ORAL)**CM-17252-CWP-2025**

Prayer in the instant application filed under Section 151 of CPC is for placing on record representation submitted by the petitioner as Annexure P-7.

Allowed as prayed for.

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The petitioner has filed the instant petition under Article 226/227 of the Constitution of India claiming the following reliefs :-

(i) Issue a Writ in the nature of Certiorari seeking quashing of impugned order dated 12.12.2012 (Annexure P-1) passed by Ld. Addl. Director General of Police (Jail), Punjab, Chandigarh vide which order, the petitioner was held guilty regarding the charges of embezzlement of Rs.215453/- and was inflicted punishment of stoppage of 5 annual promotional increments with future effect along



with recovery of Rs.215453/-; which order as passed by the concerned respondent was totally arbitrary, illegal, void and without jurisdiction and moreso, in the FIR No. 201 dated 21.05.2009 U/s 409, P.s. Sadar as registered against the petitioner, Ld. JMIC, Amritsar had acquitted the petitioner of all the charges framed against him and appeal filed (vide diary no. 1692 dated 07.02.2013) by the petitioner against the impugned punishment order of the department dated 12.12.2012 which was preferred to the State on 07.02.2013 has since not been finalized and the petitioner is seriously prejudice by the said order and is liable to be quashed for the reasons as set out herein below.

(ii) Further issue a writ in the nature of Mandamus thereby directing the respondents to consider the case of petitioner for Junior Assistant as the petitioner who has served more than 5 years of respective service has not been considered for the said post on the basis that earlier the petitioner had inflicted punishment and thereafter another charge sheet was issued against the petitioner in the year 2016 without considering the fact that the aforesaid charge sheet was based on wrong and illegal facts and thereafter ended in dropping of the said proceedings and qua the earlier punishment order the petitioner had already preferred an appeal before the competent authorities which has not been considered so far and therefore, based on the said reason directions are liable to be issued to the respondents.

2. Short affidavit in compliance of order dated 14.10.2025 of Sh. Simranjit Singh, Assistant Inspector General of Prisons, Punjab, office of Additional Director General of Police, Prisons, Punjab, Chandigarh, on behalf of respondents No.1 to 3, has been filed in the

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Court today which is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

3. After arguing the case for sometime, learned counsel for the petitioner does not press the first prayer as there is a considerable delay in filing the present petition as the impugned punishment of stoppage of 5 annual increments with future effect and recovery of Rs.2,15,463/- was inflicted on 04.12.2012.

4. Dismissed as not pressed qua the first prayer.

5. With regard to the second prayer, learned counsel for the petitioner wishes to withdraw the present petition with liberty to submit a detailed representation to the department within a period of six weeks.

6. Dismissed as withdrawn with liberty as aforesaid qua second prayer.

19.11.2025*kothiyal***(NAMIT KUMAR)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No