



CWP No.29855 of 2024

-1-

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

**CWP No.29855 of 2024
Date of Decision:17.09.2025**

Rajinder Singh

....Petitioner

VS.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. R.K.Arora, Advocate
Mr. Prabhat Kashyap, Advocate
Mr. J.S.Bhagal, Advocate
for the petitioner

Mr. Aman Dhir, DAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking aside of:

1. Order dated 22.10.2012 (Annexure P-1) whereby he was dismissed from service;
2. Order dated 16.07.2013 (Annexure P-2) whereby his appeal was dismissed;
3. Order dated 21.03.2023 (Annexure P-4) whereby his revision was dismissed;
4. Order dated 15.06.2023 (Annexure P-5) whereby his second appeal was dismissed; and
5. Order dated 03.09.2024 (Annexure P-7) passed by Director General of Police whereby his third appeal was dismissed.



2. The petitioner joined Punjab Police as Constable on 30.08.1993. He came to be implicated in FIR No.129 dated 15.10.2012 under Sections 365, 392 and 120-B of IPC, 1860 and Section 25 of Arms Act, 1959 registered at Police Station Division No.8, Ludhiana. He was arrested by Ludhiana Police on 22.02.2012. The Investigating Officer presented challan and he along with other police officials faced trial. The Disciplinary Authority vide order dated 22.10.2012 dismissed him from service invoking Rule 16.1 of Punjab Police Rules read with Section 7 of Punjab Police Act and second proviso to clause (b) of Article 311(2) of the Constitution of India. He preferred an appeal before the Appellate Authority which came to be dismissed vide order dated 16.07.2013. He came to be acquitted vide judgment dated 07.07.2022 passed by the Trial Court in aforesaid FIR. The moment he was acquitted by the Trial Court, he preferred an appeal before Inspector General of Police seeking review of punishment order of dismissal from service. The Appellate Authority vide order dated 21.03.2023 dismissed the appeal. He preferred another appeal before Additional Director General of Police, Punjab Armed Police, Jalandhar. The said appeal came to be rejected vide order dated 15.06.2023. He further preferred appeal before Director General of Police, Punjab who vide order dated 03.09.2024 dismissed the appeal.

3. On 05.11.2024, the following order was passed by this Court:-

“ Learned counsel for the petitioner inter alia contends that petitioner was terminated without conducting inquiry as contemplated by Rule 16.24 of Punjab Police Rules, 1934 (for short ‘1934 Rules’) read with Article 311 of the Constitution of India. He was terminated on account of registration of an FIR No.129



dated 15.10.2012 under Sections 365, 392 and 120-B of IPC, 1860 and Section 25 of Arms Act, 1959 at Police Station Division No.8, Ludhiana. He has been acquitted vide judgment dated 07.07.2022 passed by the Trial Court. As per Rule 16.2 read with Rule 16.31 of 1934 Rules, the respondent has wrongly rejected claim of the petitioner.

Notice of motion returnable for 20.03.2025.

Mr. Aman Dhir, DAG, Punjab who on advance notice is present in Court, accepts notice on behalf of the respondent-State and waives service. He seeks time to file reply and address the arguments.”

4. Affidavit of Mr. Swapan Sharma (IPS), Commissioner of Police, Ludhiana is taken on record. Registry is directed to tag the same at appropriate place.

5. Mr. R.K.Arora, Advocate submits that he inadvertently could not bring to the knowledge of this Court that ASI Amar Singh was co-accused in the aforesaid FIR. Trial Court has acquitted all the accused including ASI Amar Singh and petitioner. This Court vide judgment dated 23.01.2025 passed in **CWP No. 1778 of 2025** titled as “**Amar Singh vs. State of Punjab and others**” has set aside order of dismissal from service. The Court has further directed respondent to reinstate ASI Amar Singh. The petitioner deserves to be reinstated on the ground of parity. He, on instructions from petitioner who is present in Court, states that petitioner shall not claim back wages but may be granted continuity of service.

6. Mr. Aman Dhir, DAG, Punjab expressed his inability to controvert applicability of judgment of this Court in **Amar Singh (Supra)** to instant case.



7. In the wake of statement of both sides, the petition stands disposed of in terms of *Amar Singh (Supra)*.

(JAGMOHAN BANSAL)
JUDGE

17.09.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No