



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

**CWP No.65 of 2020(O&M)
Date of Decision:23.09.2025**

Sukhdev Singh

....Petitioner

VS.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Karamveer Singh Banyana, Advocate
for the petitioner

Mr. Ravi Partap Singh, D.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 14.05.2018 whereby Director General of Police, Haryana has approved punishment of reduction in rank awarded to him.

2. This is the second round of litigation. The petitioner on the previous occasion preferred CWP-15617 of 2013 which was disposed of vide order dated 19.05.2017. The said order being a short order is reproduced in toto as below:-

“ The petitioner has challenged the departmental proceedings which resulted in his reversion



from the post of Sub Inspector to the post of Assistant Sub Inspector.

The solitary and pointed argument raised before me is that similarly situated co-delinquents had filed mercy appeals before the Director General of Police (respondent No.2) and by orders, Annexures P-11 and P-12, respondent No.2 had allowed those appeals by noticing that the inquiry and the punishment order were defective and consequently set aside the said orders.

Learned AAG Haryana has accepted this fact.

In this view of the matter, the impugned orders are set aside and respondent No.2 is directed to reconsider the case of the petitioner and pass a fresh order in the light of the orders, Annexures P-11 and P-12. Necessary exercise be concluded within three months from the receipt of a certified copy of this order. This writ petition stands disposed of.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.”

3. The respondent-Director General of Police pursuant to the aforesaid order has passed order dated 14.05.2018 whereby earlier order has been reiterated and punishment of reduction in rank has been upheld. The relevant extracts of order dated 14.05.2018 are reproduced as below:-

“ In compliance of the directions dated 19.5.2017 of the Hon'ble Punjab and Haryana High Court, I have examined the revision petition, departmental enquiry file; the order passed by the authorities below and all relevant record. The petitioner was offered opportunity of personal hearing on 3.4.2018 and again he was called on



24.4.2018 for submitting some additional facts in his defence but he did not come present. The departmental enquiry was conducted as per rule and procedure. No infirmity committed in conducting departmental proceedings against the revisionist. During the departmental enquiry, it was transpired that the petitioner was maintaining regular relationship with Nisha Talwar i.e. the petitioner remains in touch with Nisha Talwar through mobile and having her mobile number, whereas she is not his relative. The petitioner very much aware about the bad reputation of said Nisha Talwar. However, being a member of police force, he should require take action against her with the help of his colleague police officers/officials, if he was not having any kind of competency. It is pointed out that about twenty officers/officials were dealt with departmentally in Ms Nisha Talwar's case and were awarded punishments in view of misconduct/evidence against them in the aforesaid matter i.e. they were awarded punishment of dismissal, reduction and stoppage of increments. The misconduct on the part of the petition gravest nature, hence, punishment of reduction in rank was rightly awarded Therefore, the revision petition is hereby rejected being devoid of merit.”

4. Learned State counsel reiterates contents of impugned order. He further submits that petitioner was one of the officers who were protecting a lady (Nisha Talwar @ Manju) who was involved in prostitution. It damaged reputation of the police force. No leniency is warranted.



5. On being asked, learned State counsel confirmed that three police officials on account of alleged offence were dismissed from service, however, all were reinstated. There were charges against more than twenty police officials and most of the police officials have already been either exonerated or awarded minor punishment of censure/warning/forfeiture of one increment with temporary effect..

6. This Court by order dated 19.05.2017 directed the respondent to consider petitioner's case in the light of Annexures P-11 and P-12. Annexure P-11 was order dated 31.12.2014 whereby punishment of dismissal from service to co-accused was set aside. Annexure P-12 was order dated 31.12.2014 whereby punishment of dismissal from service was reduced to stoppage of one annual increment with temporary effect.

7. Learned counsel for the petitioner submits that petitioner, at the most, could be awarded punishment of stoppage of one annual increment with temporary effect as awarded to co-accused Sudhir Taneja.

8. This Court finds substance in the statement of counsel for the petitioner. The order of reduction in rank was set aside by this Court vide order dated 19.05.2017. The respondent was supposed to consider case of the petitioner in the light of Annexures P-11 and P-12. The Director General of Police has not considered case of the petitioner in true spirit. The petitioner, in view of order passed in the case of co-accused, could not be awarded punishment of more than stoppage of one annual increment with temporary effect.

9. In the wake of above discussion and findings, this Court is of the considered opinion that impugned order deserves to be set aside and



accordingly set aside. The punishment of reduction in rank awarded to petitioner is reduced to stoppage of one annual increment with temporary effect.

10. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

23.09.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:	Yes	