

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

2025.PHHC:148910



**CWP No. 29934 of 2025
Date of Decision:28.10.2025**

Surender Singh

....Petitioner

VS.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Birender Singh Rana, Senior Advocate with
Mr. Neeraj Mann, Advocate
for the petitioner

Mr. Ashok Kumar Khubbar, 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 notice dated 25.07.2025 (Annexure P-4) and order dated 08.09.2025 (Annexure P-5) whereby he was made to retire on attaining the age of 55 years.

2. The petitioner is a part of Haryana Police Force. He joined police force as Constable in 1989. He was promoted from time to time. At present, he is holding rank of EASI. By impugned orders, he has been made to retire on attaining the age of 55 years. The impugned orders have been passed in exercise of power conferred by Rule 9.18(1)(c) of Punjab Police Rules, 1934 (as applicable to State of Haryana) (for short 'PPR').

3. Mr. Birender Singh Rana, Senior Advocate submits that petitioner 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, District Palwal. He faced trial. He was honourably acquitted by Trial Court. His acquittal establishes that he was maliciously and malafidely implicated in a false case. The Reporting Authority doubted his integrity in ACR because of aforesaid FIR. As he has already been acquitted by Trial Court, adverse entry recorded in ACR should be ignored and he should not be made to retire at the age of 55 years.

4. On the direction of Court, learned State counsel produced original file. After perusal, said file is returned to State counsel.

5. From the perusal of original file, it is evident that competent authority considered last ten ACRs of the petitioner and found that his integrity was doubted in two ACRs i.e. for the period from 06.07.2016 to 10.10.2016 and 14.11.2016 to 31.03.2017. As per instructions issued by State Government, if integrity of any official is doubted in any ACR of last ten years, he shall not be granted extension beyond 55 years.

6. The petitioner has neither challenged adverse remarks recorded in ACRs nor instructions issued by State Government. In the absence of challenge to adverse entry in ACRs and Government instructions, the impugned orders cannot be set aside especially when these are not stigmatic.

7. In the wake of above discussion and findings, the instant petition deserves to be dismissed and accordingly hereby dismissed.

(JAGMOHAN BANSAL)
JUDGE

28.10.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No