



CWP No.38266 of 2025 and connected case

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**119-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Date of Decision:22.12.2025

CWP No.38266 of 2025

Amit

....Petitioner

VS.

State of Haryana and others

....Respondents

CWP No. 38271 of 2025

Vilayati Ram

....Petitioner

VS.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

**Present: Mr. D.S.Matya, Advocate
for the petitioner(s)**

Mr. Ravi Partap Singh, D.A.G, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. By this common order, CWP No. 38266 of 2025 and CWP No. 38271 of 2025 are hereby adjudicated as common questions of law and facts are involved. With the consent of both sides, facts are borrowed from CWP No.38271 of 2025.



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

- I. Enquiry Report (Annexure P-23); and
- II. Show cause notice dated 11.12.2025 (Annexure P-24).

3. The petitioner joined Haryana Police Department as Constable on 26.09.1989. He was transferred to Government Railway Police (for short 'GRP') Cadre. He was promoted from time to time and in 2019 was holding rank of Sub-Inspector. On 14.07.2024, an FIR No.169 dated 14.07.2024, under Section 305 of BNS was registered at Police Station, Ambala Cantonment with respect to offence of theft was registered at Police Station GRP, Ambala Cantt. On 03.08.2025, Sudesh Kumar was arrested in aforesaid FIR and a sum of ₹4,05,000/- was recovered on the basis of disclosure statement. The respondent transferred investigation of said FIR to SIT headed by DSP Rajesh Kumar, Faridabad. SIT recorded statement of Sudesh Kumar on 07.08.2025 wherein Sudesh disclosed name of petitioner and Constable Amit Kumar. He disclosed that theft was committed with active connivance of petitioner and Constable Amit Kumar. They were beneficiary of proceeds of crime. The petitioner was placed under suspension on 08.08.2025 on the basis of disclosure statement of Sudesh Kumar. Though SIT was investigating the matter yet earlier Investigating Officer namely ASI Sanjeev Kumar effected recovery of ₹2.25 Lakhs. Accused Sudesh Kumar was produced before Magistrate to record statement under Section 183 BNSS. He refused to tender statement before Magistrate.

The respondent attempted to seek permission from District Magistrate under

Rule 16.38 which District Magistrate, Ambala declined vide order dated 05.09.2025. The respondent on 19.09.2025 transferred the investigation to State Crime Branch. Superintendent of Police, Railways, Ambala Cantt. on 02.09.2025 recommended premature retirement of the petitioner to Inspector General of Police, Railways and Commando, Haryana. The Inquiry Officer served charge-sheet on 01.11.2025 citing 11 witnesses. The petitioner moved representation dated 03.11.2025 to respondent No.3-Inspector General of Police seeking withdrawal of inquiry. The respondent did not address representation of the petitioner and examined three witnesses ex parte. The petitioner filed representation dated 06.12.2025 seeking transfer of Inquiry from GRP to Commando Unit. The Inquiry Officer concluded the inquiry and declared petitioner guilty of alleged offence. The Inquiry was concluded on 10.12.2025 and disciplinary authority issued impugned show cause notice on 11.12.2025 proposing major punishment of dismissal from service.

4. Learned counsel for the petitioner, at this stage, seeks permission to withdraw the petitions with liberty to raise all issues before the authorities.

5. Dismissed as withdrawn with aforesaid liberty.

6. The Court is sanguine that authorities would grant opportunity of hearing to petitioner(s) before passing final order.

(JAGMOHAN BANSAL)

JUDGE

22.12.2025

paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No