



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

107

CWP-1223-2026

Date of Decision: 17.02.2026

JITENDER KUMAR

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Manish Soni, Advocate and
Mr. Gurdeep Grewal, Advocate
for the petitioner

Mr. Ravi Partap Singh, DAG Haryana
Assisted by HC Anar Singh
Office of Commissioner of Police, Gurugram
Police Commissionerate

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 27.11.2025 (Annexure P-12) whereby he has been made to retire at the age of 55 years.

2. The petitioner joined Haryana Police Force as Constable on 29.08.1992. He was implicated in FIR No. 165 dated 14.09.2023 under Sections 13 and 7 of Prevention of Corruption Act, 1988 registered at Police Station Bajghera, Gurugram. He was exonerated and Police report against main accused was submitted. A departmental inquiry was initiated against him under Rule 16.24 (1) of Punjab Police Rules, 1934 (as applicable to State of Haryana) (for short 'PPR') on the basis of aforesaid

FIR. He was exonerated by inquiry officer vide report dated 07.12.2023. Deputy Commissioner of Police, Headquarters, Gurugram issued disagreement note dated 22.04.2024 and offered him opportunity to file reply. He was awarded punishment of forfeiture of four annual increments with permanent effect vide order dated 01.05.2024. He preferred appeal before Commissioner of Police, Gurugram who reduced the punishment to stoppage of two future increments with permanent effect vide order dated 26.09.2024. He approached revisionary authority who vide order dated 21.02.2025 dismissed his revision petition. Owing to punishment order dated 01.05.2024 an adverse entry was recorded in his ACR for the period from 13.07.2024 to 30.12.2024. His integrity was reported as doubtful. He has been served impugned compulsory retirement order dated 27.11.2025. As per said order, he would retire w.e.f. 12.04.2026.

3. Learned State counsel produced original record which after perusal was returned.

4. Learned counsel for the petitioner submits that respondent has expunged adverse remarks recorded in his ACR for the period from 13.07.2024 to 30.12.2024. There was no other ACR recording integrity doubtful, thus, impugned order deserves to be set aside.

5. Learned State counsel produced order dated 06.02.2026 passed by Commissioner of Police, Gurugram. As per said order, adverse remarks qua integrity recorded for the period from 13.07.2024 to 30.12.2024 stands expunged.

6. The respondent has power to compulsorily retire any police officer at the age of 55 years. The respondent is not bound to retain any officer beyond 55 years. To avoid confusion and misuse of power, the respondent has issued instructions dated 05.02.2019. As per said instructions, if integrity of the employee is doubtful in any ACR of last 10 years, he should not be retained beyond 55 years. The petitioner's integrity was doubted, thus, he was liable to be compulsorily retired. The respondent has expunged adverse remarks recorded in his aforesaid ACR, thus, foundation of impugned order ceases to exist. Accordingly, impugned order is hereby set aside with liberty to respondent to pass fresh order, if required, in accordance with law.

7. Disposed of.

8. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

February 17, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No