

2026:PHHC:044279-DB



LPA-773-2026 (O&M)

Date of Decision: 20.03.2026

Randhir Singh

...Appellant

Vs.

State of Haryana and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Parveen Kumar, Advocate for the appellant.

Mr. Nitin Kaushal, Addl. AG, Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. Learned Single Judge has dismissed the writ petition of the appellant relying upon Clause 16.2 of the Punjab Police Rules, 1934, which reads as under:-

“16.2. Dismissal. –

(1) Dismissal shall be awarded only for the gravest acts of misconduct or as the cumulative effect of continued misconduct proving incorrigibility and complete unfitness for police service. In making such an award regard shall be had to the length of service of the offender and his claim to pension.

[(2) If the conduct of an enrolled police officer leads to his conviction on a criminal charge and he is sentenced to imprisonment, he shall be dismissed :

Provided that a punishing authority may, in an exceptional case involving manifestly extenuating circumstances for reasons to be recorded and with the

prior approval of the next higher authority impose any punishment other than that of dismissal :

Provided further that in case the conviction of an enrolled police officer is set aside in appeal or revision, the officer empowered to appoint him shall review his case keeping in view the instructions issued by the Government from time to time in this behalf.]

(3) When a police officer is convicted judicially and dismissed, or dismissed as a result of a departmental enquiry, in consequence of corrupt practices, the conviction and dismissal and its cause shall be published in the Police Gazette. In other cases of dismissal when it is desired to ensure that the officer dismissed shall not be re-employed elsewhere, a full descriptive roll, with particulars of the punishments, shall be sent for publication in the Police Gazette.”

2. Facts have been noticed by the learned Single Judge in para No.11 of the impugned judgment, which are reproduced hereinafter:-

“11. In the case in hand, the petitioner was held guilty by trial Court and sentenced to imprisonment. His appeal came to be dismissed. This Court in revision upheld conviction, however, reduced quantum of sentence to undergone which was five months and five days. As petitioner was sentenced to rigorous imprisonment of more than one month, was liable to be dismissed from service. The respondent rightly dismissed him from service. There was no discretion with respondent. Any order of this Court to respondent to grant pension to petitioner would be contrary to PPR. A dismissed officer cannot be granted pension.”

3. Undisputedly, the conviction of the appellant for offence under

Section 498-A and 406 of IPC of rigorous imprisonment above one month has attained finality. Clause 16.2(2) of the Punjab Police Rules, 1934, was not under challenge.

4. In such circumstances, the disciplinary authority cannot be said to have acted unjustifiably in passing the order of dismissal which we otherwise find to have been passed in consonance with the statutory rules. Dismissal of the writ petition consequently merits no interference. The appeal is dismissed accordingly.

5. All pending misc. application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

20.03.2026
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1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No