



CWP-6700-2021

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

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CWP-6700-2021

Date of Decision: 06.02.2026

Suresh Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - None for the petitioner

Mr. Akshit Pathania, Assistant Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 23.11.2020 whereby he was terminated from the post of Special Police Officer.

2. The petitioner on 01.12.2013 retired from Indo-Tibetan Border Police ('ITBP'). He was recruited by Haryana Police as Special Police Officer ('SPO') in terms of Section 21 of Haryana Police Act, 2007 (for short '2007 Act'). The respondent, in September 2020, received a complaint alleging that petitioner has wrongly/illegally arranged marriage of his maid (Manju) with Mukesh Kumar. The respondent conducted inquiry. During inquiry, few statements were recorded. The Inquiry Officer formed an opinion that petitioner and his wife illegally arranged marriage of their maid with Mukesh Kumar. There was statement of father of Mukesh Kumar that a sum of ₹50,000/- was paid to petitioner's wife for the said marriage. A dispute erupted between Mukesh Kumar and his wife (Manju). The



petitioner and his wife intervened to settle the dispute between Mukesh and his wife.

3. As per petitioner, the respondent passed impugned order without issuing him show cause notice as well as granting opportunity of hearing. The respondent blatantly relied upon statement of few persons and held him guilty. He had 22 years of unblemished service record with ITBP.

4. Learned State counsel reiterated contents of inquiry report as well as impugned order whereby petitioner was discharged.

5. Heard the arguments and perused the record.

6. From the perusal of record, this Court finds that respondent conducted one-sided inquiry and formed an opinion that petitioner and his wife arranged marriage of their maid (Manju) with Mukesh Kumar. The respondent recorded statement of father of Mukesh Kumar to the effect that a sum of ₹50,000/- was paid to petitioner's wife for arranging said marriage. The petitioner was neither made to join inquiry nor issued show cause notice or granted opportunity of hearing still a stigmatic order was passed. The punishment awarded was harsh. The petitioner was not holding permanent post, however, was discharging duties of Police Officer as per Section 21 of 2007 Act. The petitioner at the time of filing petition was 52 years old and at present must be around 56-57 years old.

7. The petitioner cannot be ordered to be reinstated from the date of discharge, however, this Court finds it appropriate to direct respondent to consider petitioner subject to availability of post for re-appointment if he again approaches and complies with terms and conditions required for the post of SPO.

8. In the backdrop, the petition stands disposed of.
9. Needless to mention, the respondent shall be at liberty to consider petitioner’s future conduct.

(JAGMOHAN BANSAL)
JUDGE

06.02.2026
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No