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

**LPA-584-2026 (O&M)
Date of decision: 16.03.2026**

STATE OF HARYANA AND OTHERS

....Appellants

Versus

KARAMBIR AND ANOTHER

...Respondents

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

Present: Mr. Rajesh Gaur, Addl. Advocate General, Haryana
for the appellants.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-1478-LPA-2026

Delay of 66 days in filing the appeal has been satisfactorily explained.

In that view of the matter, the application is allowed and accordingly, the delay of 66 days in filing the appeal is condoned.

Main case

1. This appeal is filed by the State of Haryana assailing the judgment passed by learned Single Judge dated 14.11.2025, whereby the writ petition filed by respondent-petitioner challenging his termination from service has been allowed.

2. The undisputed facts of the case are that respondent-petitioner applied for appointment to the post of Constable, and was issued an appointment letter. The respondent-petitioner had disclosed the authorities that an FIR was pending against him. This FIR has ultimately resulted in the criminal proceedings being quashed on account of compromise. The implication was of



an offence of theft. The learned Single Judge has noticed the facts of the case, according to which there was no suppression or concealment on the part of the respondent-petitioner, and he was also appointed and had worked for some days. It was also noticed that the criminal proceedings have ultimately not fructified on account of compromise entered into between the parties. It has also been observed that the respondent-petitioner had been continuing as Constable for the last more than six years, though primarily on account of interim order. It is for these reasons that the learned Single Judge has allowed the writ petition relying upon judgment of the Supreme Court in the case of ***Ravindra Kumar v. State of Uttar Pradesh and others, (2024) 5 SCC 264***. The observations made by the Supreme Court in para 28 have been relied upon, which are reproduced hereinafter:-

“28. The nature of the office, the timing and nature of the criminal case; the overall consideration of the judgment of acquittal; the nature of the query in the application/verification form; the contents of the character verification reports; the socio-economic strata of the individual applying; the other antecedents of the candidate; the nature of consideration and the contents of the cancellation/termination order are some of the crucial aspects which should enter the judicial verdict in adjudging suitability and in determining the nature of relief to be ordered.”

3. Learned State counsel submits that implication of the respondent-petitioner was in a case of moral turpitude, and since the proceedings have ultimately been set at rest on the basis of a compromise, the State was justified in non-suiting the respondent-petitioner from grant of employment.

4. Having heard learned counsel for the appellants-State, we find that



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the respondent-petitioner at the time of application for appointment had categorically disclosed his implication in the criminal case. Though the criminal proceedings have ultimately failed on account of the compromise, but it remains undisputed that the respondent-petitioner has been continuing for the last more than six years without there being any complaint against him. The Hon’ble Supreme Court in *Ravindra Kumar* (supra) has clearly observed that the suitability of a candidate for employment would have to be tested with reference to individual facts of the case. The respondent-petitioner had categorically stated that he was falsely implicated, and the allegations primarily were that a drain was disrupted by him, and certain bricks and a trolley were stolen. It appears to be a dispute between close neighbours in respect of discharge of dirty water. Even the recovery of bricks etc. is from the father of the respondent-petitioner and not from him. The complaint was also lodged against the father of the respondent-petitioner.

5. In such circumstances, the facts on record do not make out a case where the credentials of the employee could be suspected, such that he could be found unsuitable for appointment. The learned Single Judge, therefore, has not committed any error in interfering with the action of the State. Consequently, this appeal fails and is accordingly dismissed.

6. Pending applications, if any, shall stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

MARCH 16, 2026

mohit goyal

Whether speaking/reasoned
Whether reportable

: Yes / No
: Yes / No