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

CWP-7346-2022 (O&M)

Date of Decision: 19.01.2026

Poonam

...Petitioner

Versus

State of Haryana and Others

....Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. Akshit Pathania, AAG, Haryana.

JAGMOHAN BANSAL, J. (ORAL)

1. On 07.04.2022, the following order was passed:

“The petitioner herein is aggrieved against the order dated 12.03.2022 whereby the Superintendent of Police, Jhajjar has directed the Additional Superintendent of Police, Jhajjar to conduct regular departmental enquiry against her by holding day to day proceedings and submit findings at the earliest.

In brief, the facts of the case are that the petitioner-Head Constable Poonam was nominated in proceedings under Section 7 of the Prevention of Corruption Act in FIR No.4, dated 11.03.2022, Police Station SVB Rohtak, District State Vigilance Bureau, Rohtak, and was taken into custody on 11.03.2022. On the basis of her arrest, departmental proceedings have been initiated vide impugned order (Annexure P-3) with a direction that regular departmental enquiry be held on a day to day basis.

Counsel for the petitioner herein would rely upon Rule 16.24 of the Punjab Police Rules as applicable to the State of Haryana wherein the procedure to be followed pertaining to the departmental enquiry has been detailed. It is submitted that in terms of Rule 16.24, the police

officer accused of misconduct shall be brought before an officer empowered to punish him, or such superior officer as the Superintendent may direct to conduct the enquiry. Meaning thereby, the presence of the petitioner before the Enquiry Officer is must. It is further submitted that in case departmental enquiry is conducted on a day to day basis in the absence of the petitioner herein who is in custody, there will be a clear-cut violation of Rule 16.24.

Notice of motion.

At this stage, Mr. Tapan Kumar, DAG, Haryana, who is present in the Court, accepts notice on behalf of the respondents-State and seeks time to have instructions in the matter.

Adjourned to 12.07.2022.

In the meantime, to allow the respondents-State to get instructions in the matter, proceedings should not take place till such instructions are obtained.”

- 2. Learned counsel representing the petitioner submits that petitioner has been exonerated by trial Court in aforesaid FIR. The petition, at this stage, may be disposed of with a direction to respondent to consider judgment of acquittal before proceeding with departmental proceedings.
- 3. Learned State counsel does not dispute the aforestated factual and legal position.
- 4. In the wake of statements of both sides, the petition stands ***disposed of.***
- 5. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

19.01.2026
Prince Chawla

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