



CWP-12909-2026 (O&M)

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

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CWP-12909-2026 (O&M)

Date of decision: 28.04.2026

Premvir Saddi

....Petitioner

Vs.

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. R.S. Manhas, Advocate
for the petitioner.

Mr. Harpreet Singh, AAG, Punjab.

HARSH BUNGER J. (Oral)

1 Petition herein is, filed under Articles 226/227 of the Constitution of India, *inter alia*, seeking a writ in the nature of Certiorari, for setting aside the order dated 06.10.2025 (Annexure P-6) passed by learned Director, Rural Development and Panchayat Department, Punjab, whereby the petitioner was suspended from the post of Sarpanch of Gram Panchayat Utalan, Tehsil Samrala, District Ludhiana.

1.1 A further prayer has been made for setting aside the order dated 12.03.2026 (Annexure P-8) passed by learned Appellate Authority, whereby

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the appeal preferred by petitioner against the suspension order dated 06.10.2025 (Annexure P-6), has been dismissed.

2. Briefly, the petitioner was elected as the Sarpanch of village Utalan, Tehsil Samrala, District Ludhiana in the year 2024 and, thereafter, he assumed the charge of the office of Sarpanch.

3. It is averred that at the time of contesting the election, there were two case FIRs, which were registered against the petitioner i.e. FIR No.105, dated 17.05.2024 under Sections 323, 342, 506, 354, 149, 120-B of IPC, Police Station Samrala, District Khanna and FIR No.220 of 2021, dated 05.10.2021, under Sections 323, 325, 364, 342, 379, 506, 148, 149 of IPC. It is submitted that in case FIR No.178, cancellation report has been submitted.

4. It is further averred that Sh. Amandeep Singh got lodged another FIR No.109 dated 20.06.2025 (Annexure P-1) under Sections 109, 115(2), 126(2), 118(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (in short “BNS Act, 2023”) against the petitioner.

4.1 It appears that the petitioner was arrested in the aforesaid case FIR No.109 (Annexure P-1) on 24.06.2025 and thereafter, he sought regular bail, which was granted by learned Additional Sessions Judge, Ludhiana, vide order dated 11.07.2025 (Annexure P-2).

5. It transpires that the concerned District Development and Panchayat Officer submitted a report dated 18.07.2025 (Annexure P-3) to the learned Director, Department of Rural Development and Panchayat, Punjab, recommending suspension of the petitioner.



5.1 On the basis of the aforesaid report dated 18.07.2025 (Annexure P-3), the learned Director issued a show cause notice to the petitioner before initiating action against him under Section 20 of the Punjab Panchayati Raj Act, 1994 (in short “1994 Act”).

6. The petitioner is stated to have appeared before the learned Director, through his counsel and denied the allegations levelled against him.

7. The learned Director, vide order dated 19.08.2025 (Annexure P-4), suspended the petitioner from the post of Sarpanch for a period of 30 days and further marked an enquiry to the learned Additional Deputy Commissioner (D), Ludhiana, who in turn submitted his report dated 16.09.2025 (Annexure P-5), the relevant extract of the same reads as under:-

“xxx

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xxx

While reading the report received by the SHO Police Station, City-2 Khanna, District Ludhiana, Sarpanch, Premvir Saddi, Gram Panchayat Utalan were arrested on 24.06.2025 in case FIR No.109 dated 20.06.2025 under sections 109, 126(2), 115(2), 118 (3) BNS, PS City-2, Khanna and thereafter added offence u/s 61(2), 149, 190, 191 (3) BNS and Sections 3(5) BNS was deleted on 23.06.2025 and Sections 351 (2) bNS was added on 26.06.2025 and the concerned was produced before the Hon'ble Court Khanna. On which the Judge granted judicial remand to the concerned. On which the concerned was lodged in Central Jail Ludhiana on 25.06.2025. (Annexed to the report)

While perusing the report received from the SHO Police Station, Samrala, District Ludhiana, it was found that the case No.105 dated 17.05.2021 registered under sections



323/342/506/354/149/120-B IPC registered at Police Station Samrala is pending in the Hon'ble Court.

FIR No.220 dated 05.10.2021 under Sections 323, 324, 364, 342, 379, 506, 148, 149 IPC filed under Police Station Samrala is pending in the Hon'ble Court and cancellation report has been filed in FIR No.178 dated 27.06.2016 under Sections 324, 34, 506 IPC on 27.10.2016. (Report attached)

In this regard, Sarpanch Premveer Saddi Gram Panchayat Utalan, Block Samrala was suspended from the post of Sarpanch by you on the basis of the criminal cases under which the District Development and Panchayat Officer, Ludhiana had sent a report. The sections registered in those criminal cases were read out on the basis of the reports received by the SHO Police Station, City-2 Khanna, District Ludhiana and the SHO Police Station, Samrala, District Ludhiana, from which it was found that in the cases registered against the concerned Sarpanch, action has to be taken by the police and the decision has to be taken by the Honorable Court.”

8. Thereafter, upon considering the report dated 16.09.2025 (Annexure P-5) submitted by learned Additional Deputy Commissioner (D), Ludhiana; the learned Director passed another order dated 06.10.2025 (Annexure P-6) continuing the suspension of the petitioner from the post of Sarpanch, the relevant extract of the same reads as under:-

“ xxx

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xxx

While perusing the report received from the SHO Police Station, Samrala, District Ludhiana, it was found that the FIR No.105 dated 17.05.2024 registered under Sections 323, 342, 506, 354, 149, 120-B IPC is still pending in the Hon'ble Court.



FIR No.220 dated 05.10.2021 registered at Police Station Samrala under Sections 323, 324, 364, 342, 379, 506, 148, 149, 120-8 IPC is still pending and FIR No.178 dated 27.06.2016 under section 324, 34, 506 IPC, the cancellation report has been filed on dated 27.10.2016.

In this regard, Sarpanch Premveer Saddi, Gram Panchayat Utalan, Block Samrala was suspended from the post of Sarpanch by you on the basis of the criminal cases sent by the District Development and Panchayat Officer, Ludhiana. The sections registered in those criminal cases were read on the basis of the reports received from the SHO Police Station, City-2 Khanna, District Ludhiana and the SHO Police Station, Samrala, District Ludhiana, from which it was found that action has to be taken by the police in the case registered against the concerned Sarpanch and the decision has to be taken by the Honorable Court.

The evidence/documents on file, as per the report received vide letter No.1011 dated 16.09.2025 from the office of Additional Deputy Commissioner (D), Ludhiana, several criminal cases are registered against Mr. Premvir Saddi Sarpanch, Gram Panchayat Utalan, Block Samrala, District Ludhiana which are to be investigated by the police and the decisions are to be taken by the Hon'ble Court. The registration of FIR falls under the ambit of moral turpitude. Due to which the continuation of the Sarpanch in the post is not in the public interest, therefore, in exercise of the powers vested in him under Section 20 (3) of the Punjab Panchayati Raj Act, 1994, it is decided that the orders of suspension of Mr. Premvir Saddi Sarpanch, Gram Panchayat Utalan, Block Samrala, District Ludhiana are continued till the decision of the Hon'ble Court.”



9. Feeling aggrieved against the aforesaid order dated 06.10.2025 (Annexure P-6), the petitioner preferred an appeal before the learned Administrative Secretary, Government of Punjab, Department of Rural Development and Panchayat, which has been dismissed vide order dated 12.03.2026 (Annexure P-8).

10. In the aforementioned circumstances, present writ petition has been filed before this Court, for seeking relief(s), as noticed hereinabove.

11. Learned counsel appearing for the petitioner has primarily raised only one argument before this Court that mere registration of FIR against the petitioner cannot form basis for suspension of the petitioner from the post of Sarpanch.

12. I have considered the aforesaid contention raised on behalf of the petitioner and perused the paperbook with his able assistance.

13. Here, it would be apposite to refer to provisions of Section 20(3) of the 1994 Act, which reads as under:-

“Section 20(3):- The Director may Suspend any Sarpanch or Panch where a case against him in respect of any criminal offence is under investigation, enquiry or trial, if in the opinion of the Director, the charge made or proceeding taken against him is likely to embarrass him in the discharge of his duties or involves moral turpitude or defect of character.”

14. A bare perusal of Section 20(3) of the 1994 Act shows that where Sarpanch or Panch is involved in a criminal case, then the learned Director concerned can suspend him, if in his opinion, the charge made or

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proceeding taken against him is likely to embarrass him in the discharge of his duties or involves moral turpitude or defect of character.

15. In the present writ petition the petitioner is involved in criminal offences under Sections 109, 115(2), 126(2), 118(2), 3(5) of the BNS Act, 2023, registered at Police Station City-2, Khanna, wherein offences under Sections 61(2), 149, 190, 191(3) of BNS, 2023 were added later. Apparently, the petitioner was even arrested in the aforesaid case on 24.06.2025 and he was granted bail vide order dated 11.07.2025 (Annexure P-2). That apart, it has also come on record, that other case FIR has also been registered against the petitioner.

16. Considering the totality of circumstances, it is observed that the learned Director i.e. competent authority, while exercising his powers under Section 20(3) of the 1994 Act, has formed an opinion, that the petitioner was involved in the case FIR, which falls within the ambit of moral turpitude and also that the continuation of the petitioner as Sarpanch is not in the public interest. The aforesaid order dated 06.10.2025 (Annexure P-6) has been passed after serving a show cause notice upon the petitioner i.e. after following the principles of natural justice. Even the Appellate Authority has affirmed the suspension order.

17 Keeping in view the fact, that the petitioner is involved in more than one case FIR, which are stated to be pending and finding that the principles of natural justice have been complied with, and that the competent authority has also formed an opinion that registration of FIR against the

petitioner involves moral turpitude and further that the continuation of the petitioner on the post of Sarpanch is not in the public interest; I find no reason to differ with the opinion formed by the competent authorities to suspend the petitioner from the post of Sarpanch.

18. No other argument has been raised.
19. For the reasons stated hereinabove, the instant petition being devoid of any merit is hereby *dismissed*.
20. All pending application(s), if any, shall also stand closed.

28.04.2026

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Whether speaking/reasoned:
Whether reportable:

(HARSH BUNGER)

JUDGE

Yes/No
Yes/No