



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

**CWP-15521-2024 (O&M)
Date of Decision: 06.02.2026**

Pawan Kumar

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. P.S. Sekhon, Senior Advocate with
Mr. L.S. Sekhon, Advocate and
Mr. Guraziz Singh Dhillon, Advocate for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of:-

(i) Order dated 17.01.2018 whereby he was dismissed from service;

(ii) Order dated 16.05.2024 whereby his appeal was dismissed.

2. The petitioner was dismissed from service on account of his implication in FIR No.07 dated 05.06.2016 under Section 420 of IPC registered at Police Station NRI Ludhiana (Rural), District Ludhiana and FIR No.04 dated 04.01.2018 under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances, Act, 1985 at Police Station Moti Nagar, Ludhiana. He has been acquitted in both the FIRs. He preferred appeal before DGP who by impugned order dismissed the same.

3. Learned Senior counsel representing the petitioner submits that as per Rule 16.3 of Punjab Police Rules, 1934 (in short 'PPR'), the case of petitioner needs to be reconsidered. The Appellate Authority-Director General of Police (**DGP**) while passing impugned order noticed Rule 16.3 of PPR, however, did not appreciate intent and

purpose of said Rule.

4. On being confronted with judgment dated 02.04.2025 passed by this Court in **CWP No.18777 of 2023** titled as **Bala Singh Versus State of Haryana and Others**, judgment dated 21.05.2025 passed in **CWP No.21304 of 2024** titled as **Nirmaljit Singh Versus State of Punjab and Others** and judgment dated 27.05.2025 passed in **CWP No.25411 of 2022** titled as **Dheeraj Kumar Versus State of Haryana and Others**, Mr. Aman Dhir, DAG, Punjab expressed his inability to controvert the fact that as per Rule 16.3 of PPR, matter needs to be reconsidered by the Competent Authority. He on being further confronted with impugned order expressed his inability that Appellate Authority has not considered whether case of petitioner falls within Rule 16.3 of PPR or exceptions carved therein.

5. In the light of orders passed in **Bala Singh (Supra)**, **Nirmaljit Singh (Supra)** and **Dheeraj Kumar (Supra)** as well as Rule 16.3 of PPR, the order passed by DGP is hereby set aside and matter is remanded to DGP to pass fresh order in terms of Rule 16.3 of PPR. The DGP while passing fresh order shall consider whether case of petitioner falls within exceptions carved out in Rule 16.3 of PPR or not. The respondent shall pass fresh order within three months from today.

It is made clear that this Court has not expressed any opinion on merit.

6. **Disposed of** in above terms.

7. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

06.02.2026
Prince Chawla

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