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

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**CWP-17379-2026 (O&M)
Date of decision : 27.05.2026**

AKSHAY KUMAR

..... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present :- Mr. G. S. Gopera, Advocate
for the petitioner.

Mr. Ravi Pratap Singh, DAG, Haryana with
Mr. Gaurav Jindal, Additional A.G., Haryana.

Deepinder Singh Nalwa, J. (Oral)

1. In the present writ petition, the petitioner has challenged the order dated 21.05.2026 (Annexure P-3) passed by respondent No.4 vide which, the petitioner has been discharged from Police service under Rule 12.18 of the Punjab Police Rules, 1934.

2. Brief facts of the case are that the Haryana Staff Selection Commission issued an advertisement No.6/2024 for recruitment to the posts of Constables in the year 2024. The petitioner applied in pursuance to the above said advertisement and was enrolled on the post of Constable on 09.12.2024. Thereafter, the petitioner was deputed for mandatory Recruit

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Basic Course from 16.12.2024 to 22.09.2025. The petitioner duly completed and passed the above said course with total marks of 1114.17 declared vide result dated 02.03.2026 (Annexure P-2). The respondents, thereafter, passed the order dated 21.05.2026 (Annexure P-3) discharging the petitioner from service on the ground of non-disclosure of his arrest in the FIR No.0297 dated 21.10.2023 (Annexure P-4) registered under Sections 120-B, 419 and 420 IPC at Police Station Rampura, District Rewari, in the attestation form . Aggrieved against the above said order of discharge dated 21.05.2026 (Annexure P-3), the petitioner has filed the present writ petition.

3. Learned counsel appearing on behalf of petitioner submits that inadvertently, the petitioner did not disclose in the attestation form regarding his arrest. He further submits that there was mere registration of an FIR and in fact, the petitioner was released from custody, as such, the petitioner could not have been discharged from service on the said ground.

4. On the other hand, learned counsel appearing on behalf of respondents submits that an FIR No.0297 dated 21.10.2023 (Annexure P-4) was registered under Sections 120-B, 419 and 420 IPC against the petitioner at Police Station Rampura, District Rewari. The petitioner did not disclose in the attestation form that he had been arrested in pursuance to the aforesaid FIR (Annexure P-4). Learned counsel submits that as the petitioner concealed this material fact in the attestation form and as such, the action of the respondents in discharging the petitioner from service is legal and valid.

5. After hearing learned counsel for the parties at some length, a perusal of the facts of the case would show that it is not in dispute with

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regard to the fact that the petitioner, in the attestation form, had concealed the factum of his arrest in FIR No.0297 dated 21.10.2023 (Annexure P-4) registered under Sections 120-B, 419 and 420 IPC at Police Station Rampura, District Rewari. It would be relevant to reproduce Rule 12.18 for the purpose of adjudication of this case. The same is reproduced hereunder:-

“Rule 12.18 for Haryana

12.18. Verification of character and antecedents:-(1) The appointing authority shall send the verification forms of candidates recommended for appointment by the Haryana Staff Selection Commission to the district police and Criminal Investigation Department with a copy to the District Magistrate for the verification of character and antecedents, as per Form No. 12.18 and Government instructions issued from time to time on the subject.

(2) The candidate shall disclose the fact regarding registration of FIR or criminal complaint against him for any offence under any law along-with the current status of such case in application form and verification cum attestation form irrespective of the final outcome of the case. Non-disclosure of such information shall lead to disqualification of the candidature out-rightly, solely on this ground:

Provided that where a candidate, who as a juvenile had earlier come in conflict with law and was dealt with under the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000, shall not suffer any disqualification on account of non-disclosure of this fact either in application form or verification cum attestation form.

(3) Where the appointing authority upon verification of character and antecedents of the candidate recommended for appointment comes to know that criminal proceedings against a candidate is in progress and the status of the case is reported to be either under investigation or challenged or cancelled or sent untraced or withdrawn or under trial or has either been convicted or acquitted or the candidate has preferred appeal against the order of the court; the appointing authority upon verification shall deal with the cases of candidates reported to have



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criminal cases registered against them and to the matters connected therewith as stated hereinafter;

(a) Where, a candidate is found to have been convicted for an offence involving moral turpitude or punishable with imprisonment for three years or more, shall not be considered for appointment.

(b) Where charges have been framed against a candidate for offence(s) involving moral turpitude or which is punishable with imprisonment of three years or more, shall also not be considered for appointment.

(c) Where, the candidate has disclosed the fact regarding registration of criminal case as described under sub-rule (2) above, and where the status of any case at the time of verification of antecedents of the candidate by local Police is found to be either as 'withdrawn by the State Government', or 'cancelled' or 'sent untraced' or, 'acquitted', for any offence, under any law, such candidate shall be considered for appointment in Haryana police:

(d) Where the 'cancellation report' or, an 'untraced report', in a case against a candidate has been submitted by the investigating agency in the competent court of law, the appointment shall be offered only if approval/acceptance of such cancellation or untraced report has been accorded by the trial Court.

(e) Where the candidate has been acquitted in offences related to sovereignty

of the State or national integrity i.e. spying against national interest/waging war against the State/act of terrorism/communal disturbance/smuggling of arms, ammunition or Narcotic Drugs & Psychotropic Substances or counterfeit currency etc. besides heinous crimes e.g. murder, rape, dacoity, robbery, kidnapping for ransom, acid attacks, human trafficking, Protection of Child from Sexual Offences Act, 2012 or Prevention of Corruption Act, 1988 etc., 'on technical grounds' i.e. where, in the opinion of the Court the star/material prosecution witnesses have either been killed or have died or remained untraced or turned hostile or won over and the candidate has been acquitted on account of aforementioned circumstances; such candidates shall not be considered for appointment.

4) If it is ever revealed that a candidate has got appointment either by concealment of facts or by furnishing false or wrong information or by submitting fake or forged document/certificate, he shall be discharged



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from the service by the appointing authority from the date of appointment, summarily i.e. without holding a regular disciplinary proceedings, treating him ineligible for service and salary paid to him may also ordered to be recovered.”

6. A perusal of Rule 12.18 (4) of the Punjab Police Rules, 1934, as applicable to the State of Haryana, would show that if it is revealed that a candidate has been appointed either by concealment of facts or by furnishing wrong or false information, such employee shall be discharged from service by the appointing authority from the date of his appointment without holding any regular disciplinary proceedings and treating him ineligible for service. A perusal of the facts of the present case would show that it is an admitted fact that the petitioner had concealed the factum of his arrest in the attestation form submitted by the petitioner at the time of joining service.
7. Taking into consideration the above said facts and the relevant Rules, this Court finds no infirmity in the order dated 21.05.2026 (Annexure P-3) passed by the respondents
8. Accordingly, the present writ petition is dismissed.

(DEEPINDER SINGH NALWA)
JUDGE

27.05.2026

Rimpal

Whether speaking/reasoned	Yes
Whether Reportable :	Yes