

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA-3217-2025 (O&M)

STATE OF PUNJAB AND ORS

..Appellants

Versus

PARAMJIT SINGH

..Respondent

Reserved on: 04.02.2026

Pronounced on : 06.03.2026

Uploaded on : 07.03.2026

Whether only the operative part of the judgment is pronounced?

NO

Whether full judgment is pronounced?

YES

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

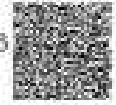
Present: Mr. Ravneet S. Joshi, DAG, Punjab.

Mr. Sandeep Bansal, Advocate
for the respondent.**SUDEEPTI SHARMA, J.**

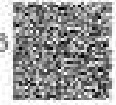
1. The present regular second appeal is preferred against judgment and decree dated 10.07.2019, passed by learned Civil Judge (Junior Division), Jalandhar, whereby, the civil suit filed by the respondent was decreed in his favour and judgment and decree dated 30.04.2025 passed by learned Additional District Judge, Jalandhar, whereby appeal filed by the appellants against judgment and decree dated 10.07.2019 was also dismissed.

BRIEF FACTS OF THE CASE

2. Brief facts of the case as per the pleadings in the civil suit are that respondent served in Indian Army from 01.03.1976 to 01.03.1991. He joined Punjab Police Department in the CID at Jalandhar as Constable



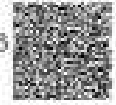
Driver on 03.08.1992 on the basis of his discharge book issued by Military Authorities. He had passed 8th class examination as per the entries in the discharge book. He was recruited as Constable Driver on the basis of entries in the discharge book issued by Military Authorities. He did not produce any certificate showing his qualification as is required by Selection Board at the time of his enrollment. On the basis of compliants made by certain persons from the village that respondent secured the appointment in Police Department by producing false and forged certificates at the time of his joining, he was tried departmentally. An enquiry was conducted against the respondent by AIG, Head Quarters Intelligence, Punjab, Chandigarh, who held him guilty. Thereafter, Superintendent of Police, Intelligence, Punjab, Chandigarh issued show cause notice dated 21.12.2006 proposing punishment of dismissal to the respondent. The respondent submitted detailed reply to the same. Vide order dated 30.04.2007 passed by Superintendent of Police, Security, Punjab, Chandigarh, the respondent was dismissed from services. In the meantime, FIR No.165 dated 15.09.2006 under Section 420, 465, 468, 471 of IPC, Police Station Division No.2, Jalandhar was registered against respondent. After registration of the case and consequent arrest, impugned order of dismissal dated 30.04.2007 was passed. After trial in the criminal case, he was acquitted vide judgment dated 30.01.2013. The respondent filed appeal against order of dismissal dated 30.04.2007 on the ground that on the basis of his acquittal, he is entitled to reinstatement in service from the date of his dismissal with all consequential benefits as per the provisions of Punjab Police Rules. On 17.08.2013, Director General of Police, Punjab, Chandigarh returned the appeal for approaching the lowest Appellate Authority. Thereafter, he filed appeal



before the Deputy Inspector General of Police, Intelligence, Punjab, Chandigarh on 23.05.2014, which was rejected by him on 01.07.2015 being barred by limitation. He thereafter filed revision/mercy petition before Inspector General of Police, Intelligence, Punjab, Chandigarh on 19.09.2015, which was rejected by him on 15.10.2015 being devoid of merits. He filed revision/mercy petition to Director General of Police, Intelligence, Punjab, Chandigarh on 04.11.2015 for his reinstatement in service and the same was rejected by Director General of Police, Intelligence, Punjab, Chandigarh vide order dated 12.01.2016. The respondent was dismissed from service on the allegations of having secured employment by producing forged and fabricated 9th class certificate issued by SPS Khalsa High School, Begowal, District Kapurthala. On the same allegations, criminal case was registered against him. The respondent was arrested and released on bail and thereafter, acquitted by the Court on 03.01.2013. He filed civil suit challenging orders dated 30.04.2007, 01.07.2015, 15.10.2015 and 12.01.2016. And further that he is entitled to reinstatement in service with all consequential benefits from the date of his dismissal including backwages with interest at the rate of 18% per annum. The civil suit filed by him was decreed in his favour vide judgment and decree dated 10.07.2019. The appellants-State filed appeal against judgment and decree dated 10.07.2019, and the same was dismissed vide judgment and decree dated 10.07.2019, Hence, the present Regular Second Appeal.

SUBMISSIONS OF LEARNED COUNSEL FOR THE PARTIES:-

3. Learned counsel for the appellants contends that learned Civil Judge (Junior Division), Jalandhar has wrongly decreed the civil suit filed by the respondent vide its judgment and decree dated 10.07.2019 and appeal



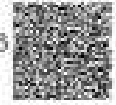
filed by the appellant against the same was wrongly dismissed by learned Additional District Judge, Jalandhar vide its judgment and decree dated 30.04.2025. He, therefore, prays that the present appeal be allowed.

4. In support of his contention, he relies upon judgment passed in **State of Punjab Vs. Dr. Harbhajan Singh Greasy, 1996(9) SCC 322.**

5. Per contra, learned counsel for respondent contends that both the Courts have rightly decreed the civil suit filed by the respondent and rightly dismissed the appeal filed by the appellants-State. He, therefore, prays that the present appeal be dismissed.

6. I have heard learned counsel for the parties and have perused the whole record of the case with their able assistance.

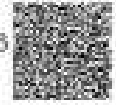
7. Admittedly, respondent earlier served in Indian Army from 01.03.1976 to 01.03.1991 and thereafter, joined the department of the appellants on 03.08.1992 as Constable Driver. His services were terminated by the appellants vide order dated 30.04.2007 (Ex.P-1), since there were allegations against him that he prepared the certificate of 9th class in order to join the service in the appellants Department. Ex.P-13 is the document, which shows that respondent filled his form for the post of Constable. In the original form, he submitted his qualification as middle pass and retired from Army. Further, qualification for the post of driver in the year 1992 was only middle class for any person retiring from Army. Respondent placed on record the enquiry file (Ex.P-5), which contains 1 to 62 pages but the forged and fabricated documents alleged to be prepared by respondent were never brought on record before learned Civil Judge (Junior Division), Jalandhar. Without production of forged and fabricated documents, it cannot be presumed that the respondent prepared forged and fabricated certificate of 9th



class. The Enquiry Officer recorded the statement of AIG Zonal CID, Jalandhar, Principal, S.P.S Khalsa Senior Secondary School, Begowal District Kapurthala, Science Teacher, S.P.S Khalsa Senior Secondary School, Begowal District Kapurthala, Record Keeper, School Village Nadalo, P.S Mehalpur District Hoshiarpur, Numberdar of Village Nadalo, P.S Mehalpur District Hoshiarpur but none of the witnesses have placed on record any forged and fabricated, certificate of 9th class allegedly prepared by the respondent. This shows that respondent was wrongly found guilty by Enquiry Officer through his report Ex.P-5. The report also shows that Enquiry Officer did not apply his mind and without any document on record held respondent guilty for preparing 9th class certificate. There is nothing on record to show that as to why the respondent would prepare 9th class certificate, since the qualification for the post of driver in the year 1992 was only middle pass, for any person retiring from Army. And admittedly, respondent retired from Army.

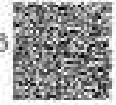
8. A perusal of record further shows that Enquiry Officer did not follow the principles of natural justice while conducting the enquiry since as per the zimni order dated 28.08.2006, he recorded statements of Record Keeper Sohan Singh son of Sh. Faqir Singh, School Village Nadalo, P.S Mehalpur District Hoshiarpur, Numberdar Hari Singh, Village Nadalo, Principal R.D Senior Secondary School, Village Nadalo, P.S Mehalpur District Hoshiarpur. And he was duty bound to give opportunity of cross-examination of these witnesses to the respondent but the same was not provided.

9. A further perusal of the record shows that statement of Numberdar of Village Nadalo was recorded on 28.08.2006 but opportunity



of cross-examination of said witness was given to respondent on 30.08.2006. Further, Enquiry Officer took the certificate from the Principal of R.D. Senior Secondary School, Nadalo, District Hoshiarpur dated 26.08.2006, which shows that respondent was admitted in school on 20.04.1970 in 5th class and certificate further shows that the certificate produced by respondent is correct. All the statement of complainant witnesses were attested by the Enquiry Officer but no date, time or year was mentioned in the same, which shows that the statements were recorded in the absence of respondent. The main witness against the respondent in the enquiry was Sh. Iqbal Singh, AIG Police Zonal, CID Jalandhar, whose statement is in the enquiry file Ex.P-5, which is undated and no opportunity was given to the respondent to cross-examine this witness. No reasoning has been given while deciding the departmental appeal filed by the respondent. Further, in FIR registered against respondent under Section 420, 465, 468 and 471 of IPC, Police Station Division No.2, Jalandhar, respondent was acquitted and appellants never challenged his acquittal. The appellants examined ASI Bhupinder Singh (DW-1), who admitted the case of respondent and stated that as per discharge book, respondent was middle class pass. And he further admitted that respondent submitted his discharge book and driving licence at the time of his recruitment. He proved form for recruitment (Ex.P-13). He further admitted that respondent did not submit any certificate of 9th class in his form (Ex.P-13) and there is no entry in Ex.P-13 regarding submission of 9th class certificate by the respondent.

10. Now coming to the judgment relied upon by learned counsel for the appellants.



11. The facts of the judgment passed in **Dr. Harbhajan Singh Greasy's case (supra)** are distinguishable to the present case since in the present case, the 9th class certificate was never part of any record to show that it is forged and fabricated and there is nothing on record to show that respondent was recruited on the basis of 9th class certificate, which was not even the requirement as per rules for recruitment as driver in the year 1992.

DECISION

12. In view of the above, I do not find any infirmity and illegality in judgment and decree dated 10.07.2019, passed by learned Civil Judge (Junior Division), Jalandhar and judgment and decree dated 30.04.2025 passed by learned Additional District Judge, Jalandhar, the same are hereby affirmed.

13. Accordingly, the present appeal is **dismissed**. Parties are left to bear their own costs.

14. Decree sheet be drawn.

06.03.2026

Ayub/Sahil

**(SUDEEPTI SHARMA)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*