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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 3881/2026**

THE STATE OF TAMIL NADU

.....Petitioner

Through: Mr. Balaji Subramanian, Mr.
Sabrish Subramanian, Mr.
Akash Kundu and Mr. Aditya
Rajagopal, Advs.

versus

PRAMOD KUMAR IPS & ANR.

.....Respondents

Through: Mr. Shashank Bajpai, CGSC
with Ms. Aashna Mehra, Mr.
Vatsal Tripathi and Mr. Govind
Chauhan, Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% **25.03.2026**

CM APPL. 19053/2026 [for exemption]

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. Through the present Writ Petition, the Petitioner challenges the correctness of the order dated 20.02.2024 (hereafter '**impugned order**'), passed by the learned Central Administrative Tribunal in O.A. No. 1395/2023.
4. By the impugned order, the learned Tribunal has quashed a fresh charge memorandum issued by the Petitioner in the year 2021.
5. Respondent No. 1, who was an IPS Officer, has superannuated

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on 30.09.2025.

6. A criminal case was registered against a chit fund company. Pursuant to the directions of the Madras High Court, the Superintendent of Police was directed to ensure repayment of the monies to the investors.

7. One of the Directors of the chit fund company went missing, which led to registration of case being Crime No.3068 of 2009. The said Director surfaced after 3 days and gave a statement that she had gone on pilgrimage. Subsequently, she changed her stand and gave an additional statement alleging that she had been kidnapped in collusion with the Police. Thereafter, she again changed her stand and denied that she had been kidnapped, but maintained her allegations of extortion and demand of bribery by Police Officers. Respondent No.1 was however not named by the said Director in any of the statements.

8. The investigation of the said case was initially transferred on the directions of the High Court to CBCID, and thereafter, to CBI, whereafter, Respondent No.1 was arrayed as an accused.

9. Ultimately, criminal proceedings against Respondent No.1 were quashed by the Madras High Court. It is pointed out that CBI has filed Special Leave Petition (Criminal) against the same, in which notice has been issued, but no stay has been granted.

10. Initially, a charge memorandum was issued against Respondent No.1 on 29.10.2013 with identical allegations. The same was quashed by the Madras High Court on 12.01.2017. On 21.08.2018, the Hon'ble Apex Court upheld the quashing of the charge memorandum but granted liberty to issue a fresh charge memorandum after taking approval from the Disciplinary Authority. Pursuant to the same, on 10.11.2021, the charge memorandum dated 29.10.2013 was rescinded,



and on the same day, an identical fresh charge memorandum was issued. The same was impugned in O.A. No. 1395/2023.

11. The learned Tribunal, after considering all aspects of the matter, has proceeded to quash the charge memorandum on the ground of delay and non-application of mind *vide* the impugned order.

12. After a passage of more than 2 years, the present Writ Petition has been filed. There is no explanation of delay of more than 2 years. Moreover, as is evident, the criminal case against Respondent No. 1 already stands quashed. The articles of charges have been issued against Respondent No. 1 on identical allegations as in criminal case in which Respondent No. 1 has already been acquitted. Moreover, as noted by the learned Tribunal, impugned charge memorandum was issued after a huge delay of more than 3 years from when the Hon'ble Supreme Court upheld the quashing of initial charge memorandum dated 29.10.2013 and granted liberty to issue a fresh charge memorandum.

13. In these circumstances, this Court does not consider it appropriate to interfere with the impugned order on the ground of delay as well as in the facts of the case.

14. The present Writ Petition along with the pending application is, therefore, dismissed.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

MARCH 25, 2026

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