



CWP-9149-2025

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

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CWP-9149-2025

Date of Decision: 01.04.2025

Malvinder Singh Sidhu

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Aman Pal, Advocate for the petitioner

Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to the respondents to keep the proceedings, arising out of charge sheet dated 11.07.2024 (Annexure P-13), in abeyance.

2. The petitioner claims that he is in judicial custody with respect to FIR No.165 dated 03.08.2024 under Sections 103(2), 61(2) of Bharatiya Nyaya Sanhita, 2023 and Sections 25, 27, 54, 59 of Arms Act, 1959 registered at U.T. Chandigarh. He has already retired, thus, no prejudice would be caused to the respondent if proceedings are kept in abeyance till he is released on bail.

3. Mr. Aman Dhir, Deputy Advocate General, Punjab, who on advance notice is present in Court, expressed his inability to controvert aforesaid factual position that petitioner has already retired and at present he is in judicial custody. The departmental proceedings have been initiated with

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respect to another FIR i.e. FIR No.117 dated 25.10.2023 under Sections 353, 186, 332, 506 of Indian Penal Code, 1860.

4. The petitioner is in judicial custody since 03.08.2024 and departmental proceedings have been initiated after his retirement. It would be in the interest of justice and fitness of things if departmental proceedings are kept in abeyance till he is released on bail. Ordered accordingly.

5. It is made clear that after petitioner's release on bail, he would not seek adjournment on any ground.

6. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

01.04.2025
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No