



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

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CRWP-6984-2025 (O&M)

Date of Decision: 12.08.2025

Number IC-61349N Colonel Vikas Pandey

....Petitioner

Versus

Union of India and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

Present: Mr. Janesh Kumar Khera, Advocate and
Mr. Jasbir Singh, Advocate
for the petitioner.

Ms. Bhavana Datta, Senior Panel Counsel
for respondents No.1 to 6 – UOI.

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that the proceedings of the Court Martial are not being held in the manner in which it is required to be conducted, which is causing prejudice.
2. Learned counsel for the petitioner argues that after recording the statement made by the witnesses, the same has not been signed by them on all the pages and it is highly probable that the same may be manipulated so as to pass an adverse order against the petitioner.
3. After arguing, learned counsel for the petitioner further submits



that liberty be given to the petitioner to take the plea that the way and order under which signing of the witness statement was being followed in the other proceedings of Court Martial, was not being followed in the present case, which is causing prejudice to the petitioner.

4. Learned counsel appearing on behalf of the respondents submits that there are no rules which exist which could dictate the exact procedure for signing of the statement of the witnesses on every page. Learned counsel submits that nothing has come on record to show that any witness statement has been incorrectly recorded or the same has been manipulated in any manner even as of now. Learned counsel for the respondents further submits even as of now, the proceedings initiated against the petitioner are pending and in case, against the ultimate decision passed by the Court Martial, the petitioner is aggrieved, he can avail appropriate remedy before appropriate Forum.

5. Keeping in view the totality of the circumstances, the present petition is disposed of with the direction that in case, the petitioner is aggrieved in any manner against the final order passed under the Court Martial and the petitioner intends to avail the remedy of an appeal before the competent authority, the petitioner will be free to raise all the objections including the one raised in the present petition as well. In case, any objection or plea is taken that the statement made by the witness has not been signed by them on all the papers and the same has caused any prejudice to the petitioner or, the said witness statement has been manipulated in any manner, due consideration will be given by the appellate authority on the said plea and the said issue will be decided keeping in view the evidence brought on record by the petitioner to support the said assertion or, the evidence brought on record



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by the respondent to deny or rebut the said assertion.

5. With the above directions, the present petition is disposed of.
6. Pending applications, if any, also stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

August 12, 2025

Varinder

Whether speaking/reasoned : Yes

Whether reportable : No