



CWP-8687-2025

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

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CWP-8687-2025

Date of Decision: 19.08.2025

Daljinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. M.K. Dogra, Advocate for the petitioner

Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 20.02.2025 whereby respondent No.4 has ordered to conduct *de novo* inquiry against him.

2. Learned counsel for the petitioner contends that by impugned order, Additional Director General Police, State Armed Police, PAP, Jalandhar has ordered to conduct fresh inquiry which is not permissible under Rule 16.28 of Punjab Police Rules, 1934 (for short '**PPR**'). The higher authority has power to make further investigation but there is no power to order to conduct fresh inquiry. The petitioner was subjected to regular inquiry and thereafter competent authority passed order of oral warning.

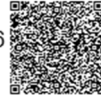


3. Learned State counsel submits that respondent is not going to conduct *de novo* inquiry. The deposition of witnesses already on record would be considered nay if petitioner wishes to cross-examine any witness, he may move an appropriate application. No fresh inquiry is going to be conducted, however, Additional Director General Police, State Armed Police, PAP, Jalandhar in view of mandate of Rule 16.28 of PPR would conduct investigation or get it conducted before passing final order. The petitioner would be issued show cause notice before passing any adverse order. He would also be given an opportunity of personal hearing.

4. Rule 16.28 of PPR permits higher authorities to review order of lower authorities and pass order confirming, enhancing, modifying or annulling the award made by subordinate authorities. The Reviewing Authority has power to make further investigation or direct such to be made before passing orders. Rule 16.28 of PPR reads as:-

“16.28. Powers to review proceedings.— (1) The Inspector-General, a Deputy Inspector-General, and a Superintendent of Police may call for the records of awards made by their subordinates and confirm, enhance, modify or annul the same, or make further investigation or direct such to be made before passing orders. The State Government may also call for the records and review the awards made by the inspector General of Police Punjab or by any other authority subordinate to him.

(2) If an award of dismissal is annulled, the officer annulling it shall state whether it is to be regarded as suspension followed by reinstatement, or not. The order should also state whether service previous to dismissal should count for pension or not.



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(3) In all cases in which officers propose to enhance an award they shall, before passing final orders, give the defaulter concerned an opportunity of showing cause, either personally or in writing, why his punishment should not be enhanced.”

5. In view of above-quoted rule, the respondent-Additional Director General Police, State Armed Police, PAP, Jalandhar has no power to order *de novo* inquiry, however, he has power to conduct investigation or get it done before passing order under Rule 16.28 of PPR. The State counsel has assured the Court that there would be no *de novo* inquiry and proceedings would be conducted strictly in accordance with Rule 16.28 of PPR.

6. In the wake of above discussion and findings, the present petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

19.08.2025
Mohit Kumar

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