



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

**CWP No. 15419-2016(O&M)  
Date of Decision: 08.08.2025**

**Jagdish Chander**

**....Petitioner**

vs.

**State of Haryana and others**

**....Respondents**

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Manish Soni, Advocate  
for the petitioner

Mr. Ravi Partap Singh, D.A.G., Haryana

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**JAGMOHAN BANSAL, J. (ORAL)**

1. On 02.02.2023, the following order was passed:-

*“Vide order dated 03.08.2016, notice of motion was issued on the premise that the petitioner was involved in FIR No.98 dated 26.08.2014 under Sections 406, 420, 120-B IPC, Police Station Economic Offences Wing, New Delhi, in which challan has already been presented. The departmental proceedings have been initiated only on the basis of involvement of the petitioner in the aforesaid criminal case and in such eventuality, the provisions of Rule 16.38 (i) and (ii) of the Punjab Police Rules, 1938 are mandatory. The departmental enquiry could not have been initiated without taking prior concurrence of the District Magistrate. The departmental enquiry proceedings were directed to be kept in abeyance. The*



*aforesaid order dated 03.08.2016 has been modified subsequently vide order dated 06.08.2022, thereby ordering that the departmental proceedings may continue, but the only common witness left to be examined be not examined till statement of that witness is recorded before the trial Court.*

*Learned counsel for the petitioner may apprise this Court how many witnesses are left to be examined in the departmental proceedings and status of the trial arising out of FIR No.98 dated 26.08.2014 under Sections 406, 420, 120-B IPC, Police Station Economic Offences Wing, New Delhi be also brought on record. Adjourned to 17.08.2023.”*

2. Counsel for the parties are *ad idem* that petitioner on attaining the age of superannuation has retired.
3. Mr. Manish Soni, Advocate submits that trial is pending because Investigating Officer is not coming forward to depose before Trial Court.
4. Trial is pending at Delhi. The departmental proceedings are also pending. This Court normally has permitted department to continue proceedings despite pendency of criminal proceedings, however, in the present case, it would be appropriate to await the decision of Trial Court because petitioner has retired and trial is at fag end. It is further relevant to notice that FIR was registered in August' 2014. Accordingly, it is hereby directed that departmental proceeding would remain in abeyance till decision of Trial Court in aforesaid FIR.



5. Disposed of in the above terms.
6. Pending Misc. application(s), if any, shall stand disposed of.

**08.08.2025**  
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**(JAGMOHAN BANSAL)**  
**JUDGE**

Whether speaking/reasoned:	Yes	
Whether reportable:		No