

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

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CWP-26593-2017

Date of Decision : April 01, 2025

GANDA SINGH

-PETITIONER

V/S

STATE OF PUNJAB AND ORS.

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. S.S. Grewal, Advocate and
Ms. Preeti, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, prayer is made for issuance of directions upon the respondent No.2 to take action against the respondent No.4, who has been found guilty for dereliction of his duty, for giving false statement before the trial Court in case FIR No.58 dated 22.09.2006, under Sections 323, 325, 427, 148, 149 of the IPC, registered at P.S. Ghanaur, District Patiala. Moreover, prayer is also made for issuance of directions upon the respondent No.2 to take action against the respondent No.5 for dereliction of his duty, on account of releasing the vehicle in question to the accused, who is not the registered owner thereof.

2. The learned counsel for the petitioner, by drawing attention of this Court towards Annexure P-4, wherethrough the vehicle in question was ordered to be released in favour of one Sharanjit Singh, submitted

that, instead of releasing the vehicle in question in favour of the Sharanjit Singh (registered owner), the same was released in favour of accused Kuldeep Singh and in this regard, a DDR No.23 (Annexure P-3) was also registered. He further submitted that, despite specific finding of guilt being recorded against the respondent No.4, no action has been taken against him.

3. Perusal of the reply dated 26.03.2019, as furnished on affidavit of Ashok Kumar, P.P.S., Deputy Superintendent of Police, Ghanaur, District Patiala, makes revelations that, a departmental inquiry was conducted against the respondents No.4 and 5, wherein, although the allegations levelled against respondent No.5 were not found to be proved, but, the respondent No.4 was found guilty of the allegations and he was punished by recording a warning to be careful in future. The relevant extract of the reply is reproduced hereunder:-

“...Later on enquiry in the matter was conducted by Deputy Superintendent of Police (Rural), Patiala and submitted his enquiry report vide no.1529/C/D.S.P./R dated 22-10-2013. But allegations against the HC Gurmit Singh were not proved by the enquiry officer, so enquiry against him was consigned to record room vide order No.1704-09/Steno-1 dated 26-07-2014 by the Senior Superintendent of Police, Patiala and HC Bhupinder Singh No.468/Patiala was found guilty of the allegations, so show cause notice No. 1234/Steno dated 23-06-2014 was served upon him proposing the punishment of "Censure". HC Bhupinder Singh No. 468/Patiala filed reply to the said show cause notice and after giving consideration thought to the reply, HC Bhupinder Singh No.468/Patiala was given warning and asked to be careful in future vide order No. 222935/Steno-1 dated 24-09-2014. Copy of the order dated 24-09-2014 is attached herewith as Annexure R-1.”

4. Since departmental inquiry has already been conducted in the

case at hand and action has also been taken against the respondent No.4 in pursuance to the departmental inquiry, hence no direction is required to be passed. Consequently, the present writ petition is closed.

5. Disposed of accordingly.

**April 01, 2025
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**(KULDEEP TIWARI)
JUDGE**

**Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No**