

SUBHASH CHAND VS STATE OF HARYANA AND OTHERS

Present: Mr. Anurag Goyal, Advocate
for the petitioner.

Learned counsel for the petitioner contends that the petitioner is working as Station House Officer at Police Station Nissing. On 01.07.2019, an FIR was lodged against the petitioner for the offences under the Prevention of Corruption Act. In addition to the aforesaid criminal case, departmental enquiry was also initiated in which examination of common witnesses were ordered to be stayed. Thereafter during the pendency of trial, the petitioner was reinstated vide order dated 22.02.2020. In the criminal trial, the petitioner was ultimately acquitted vide judgment of acquittal dated 22.03.2022 and thereafter he was exonerated by the Enquiry Officer in the departmental enquiry on 13.07.2022. The competent authority issued a disagreement note to the exoneration of the petitioner on 25.08.2022 and thereafter vide order dated 14.09.2022 inflicted a punishment of stoppage of three future annual increments with permanent effect. An appeal was preferred by the petitioner on 27.10.2022 which was partly accepted by the Appellate authority vide order dated 01.12.2022 thereby restoring one annual increment but maintaining the punishment for stoppage of two increments with cumulative effect. The

petitioner remained unsuccessful in the revision before the Director General of Police which was dismissed on 16.02.2023. On the basis of the aforesaid punishment, an adverse entry has been made in the annual confidential report of the petitioner for the period from 01.04.2019 to 31.03.2020 showing his integrity to be doubtful. A representation filed by the petitioner against the said adverse entry has been rejected by the competent authority on 07.03.2023 wholly on erroneous grounds.

Notice of motion returnable on 03.08.2023.

24.04.2023
P.Bhatt

(RAJ MOHAN SINGH)
JUDGE