

Pappu Singh Vs. the State of Madhya Pradesh

Pappu Singh Vs. the State of Madhya Pradesh

SooperKanoon Citation : sooperkanoon.com/1044977

Court : Madhya Pradesh

Decided On : Aug-22-2013

Appellant : Pappu Singh

Respondent : The State of Madhya Pradesh

Judgement :

W.P.No.13595/2013 Pappu Singh vs. State of M.P. & ORS.1 22.08.2013 Heard Shri Praveen Verma, the learned counsel for the petitioner, on the question of admission and interim relief.

The petitioner has filed this petition being aggrieved by the charge sheet dated 30.3.2013 and the report against the petitioner dated 4.2.2013.

It is submitted by the learned counsel for the petitioner that on a false complaint being made by one lady police constable Pooja Singh, an enquiry was conducted against the petitioner on the basis of which a fact finding enquiry was conducted and a report exonerating him was submitted on 5.8.2012 and on the basis of that report a punishment was imposed upon the lady police constable for making a false complaint.

It is submitted that thereafter, without looking into the aforesaid aspect, simply on the basis of the fact that the State Women Commission have issued certain directions, the respondent authorities have again initiated proceedings against the petitioner and have issued the impugned charge sheet which is not permissible.

It is submitted that once the respondents have already conducted an enquiry and exonerated the petitioner and found the lady police constable guilty, the petitioner cannot be subjected to harassment simply on account of the fact that the complainant is a woman.

It is submitted that in such circumstances working of all men constables in the police department would become very difficult.

W.P.No.13595/2013 Pappu Singh vs. State of M.P. & ORS.2 Having heard the learned counsel for the petitioner, it is observed that the petitioner has not filed any objection to the notice and charge sheet issued to the petitioner and the respondent authorities have also not applied their mind to the aforesaid aspect and as to the impact of the previous report dated 5.8.2012.

In the circumstances, without entering into the merits of the case, the petition filed by the petitioner is disposed of with a direction to the effect that in case the petitioner files an objection to the departmental proceedings being taken up by the respondent authorities within fifteen days from today alongwith a copy of the order passed today and a copy of the petition, the concerned authority shall consider and decide the same expeditiously in accordance with law by passing a reasoned order before proceedings any further against the petitioner pursuant to the impugned charge sheet.

It is made clear that if the authorities find no justification for issuing the charge sheet, they would be at liberty to withdraw the same.

With the aforesaid direction, the petition, filed by the petitioner, stands disposed of.

C.C as per rules.

(R.S.JHA) JUDGE mms/-

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com