

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 13372/2023

(Arising out of impugned judgment and order dated 17-04-2023 in CRM No. 14996/2023 in CRAS No. 781/2023 passed by the High Court of Punjab & Haryana at Chandigarh)

DHARMINDER PAUL SINGLA

Petitioner(s)

VERSUS

STATE OF PUNJAB & ANR.

Respondent(s)

(IA No. 194263/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS /ANNEXURES)

Date : 26-02-2024 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Ritin Rai, Sr. Adv.
Mr. Siddhartha Jha, AOR

For Respondent(s) Mr. Karan Sharma, AOR
Mr. Mohit Siwach, Adv.
Mr. Rishabh Sharma, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Heard Mr. Ritin Rai, learned senior counsel appearing for the petitioner. The State of Punjab is represented by Mr. Karan Sharma, learned counsel.

2. The office report dated 19.01.2023 indicates that although notice was received by the Registrar General of the Punjab and Haryana High Court, the High Court does not wish to contest the present matter.

3. The State has filed a formal counter affidavit stating the facts which however has no bearing on the prayer made in the present petition.

4. On 09.10.2023, notice was issued in this case with the following order:

“Learned senior counsel would submit that the petitioner is a judicial officer and is concerned with the remarks noted in the High Court’s order dated 17.04.2023. The counsel would then refer to the order passed earlier by the High Court on 29.03.2023 in CRM No. 14996 of 2023 in CRA-S No. 781 of 2023 where the circumstances for passing the order was explained as also the specific explanation furnished by the petitioner on 06.04.2023 (Annexure P/8) explaining the reason for confusion, on account of two separate orders in two separate proceedings (in CRA-S No. 781 of 2023 and CRM No. 12247 of 2023).

It is further submitted that the petitioner is in the zone of consideration for the next higher grade and the remarks as noted on 17.04.2023 is going to prejudice the petitioner’s claim for promotion.

Issue notice, returnable in three weeks.”

5. As can be seen from the above, the judicial officer was discharging his judicial duties and passed appropriate order subsequently allowing bail to the accused. The petitioner has explained the circumstances in his response dated 06.04.2023 to the Registrar General of the High Court. In such backdrop, we feel that the petitioner deserves another opportunity without being burdened in his career by the offending remarks. It is also relevant to highlight that the remarks in the impugned order was recorded, without affording any opportunity to the judicial officer.

6. In the aforesaid circumstances, we deem it appropriate to delete the offending remarks made against the judicial officer in the impugned order dated 17.04.2023 in CRM No. 14996 of 2023. It is ordered accordingly. Those remarks should not also form part of the ACR of the judicial officer.

7. With the above, the Special Leave Petition stands disposed of.

8. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR