



Order Sheet

WPS No. 502 of 2020Umesh Waghmare ***Versus*** State of Chhattisgarh and others

05.02.2020	Mr. Abhishek Pandey and Ms. Deepika Sannat, counsel for the Petitioner. Mr. Priyank Rathi, Panel Lawyer, for the State. Heard. Admit. Learned counsel for the petitioner would submit that the petitioner was suspended as the FIR was registered on 20.07.2015 against him. Subsequently in criminal case, clear acquittal was made on 11.05.2016 and the petitioner was exonerated of the charges under section 376 of IPC. However, subsequently the preliminary enquiry was conducted on 16.08.2016 and the Superintendent of Police imposed the punishment of withholding one increment with non-cumulative effect. Thereafter, after 3 years, the Inspector General of Police has again reopened the enquiry which he was not otherwise entitled to do so. Learned counsel further refers to the finding of the judgment of acquittal, wherein it has been held by the trial Court that the offence was not committed. Learned State Counsel prays for time to file reply to interim application. Considering the facts of this case as also the finding of the trial Court in acquittal order and the earlier order passed by the Superintendent of police Police, it is directed that there shall be stay of the enquiry pursuant to the charge sheet dated 30.07.2019 till the next date of hearing. Cc as per rules. Sd/- (Goutam Bhaduri) Judge	
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