

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

124

CRM-M-28761-2009 (O&M).

Pavittar Singh

.. Petitioner(s)

VERSUS

State of Punjab and another

.. Respondent(s)

* * *

CORAM:

HON'BLE MR.JUSTICE M.M.S.BEDI

* * *

PRESENT

**Mr.Vipin Mahajan, Advocate, for the petitioner.
Ms.H.K.Athwal, DAG., Punjab.**

M.M.S. BEDI, J. (ORAL)

This petition has been filed for quashing of FIR claiming that the competent authority has refused to give sanction for presentation of challan under Section 19 of the Prevention of Corruption Act, 1988.

In view of the provisions of Section 19 (3) (b) of the Prevention of Corruption Act, 1988, I do not deem it appropriate to enter into the controversy regarding the absence, error, omission or irregularity in the matter of sanction or to stay the proceedings but at the same time, in the interest of justice, it is observed that the trial Court appears to have framed the charges and recorded statement of one witness.

Counsel for the petitioner submits that as per his information, the witnesses have not supported the case of the prosecution.

This matter is pending before this Court since 2009. In view of the subsequent events and peculiar circumstances of this case, in the interest of justice, this petition is disposed of, at this stage, with an observation that all the legal pleas raised in the present petition regarding the want of sanction and violation of provisions of Section 19 of the Prevention of Corruption Act, 1988, may be raised at appropriate time. It is further directed that trial Court shall make earnest endeavour to conclude the trial within a period of six months. The investigating agency shall also make earnest endeavour to ensure the production of witnesses. All the legal and factual please raised in this petition will be open to be raised before the trial Court in an attempt to seek acquittal on merits or alleged technical irregularities.

**(M.M.S. BEDI)
JUDGE**

July 14, 2016.