

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM M-28774 of 2014

Date of decision :31.03.2016

K.R. Gargi

....Petitioner

V/s

State of Punjab

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. B.S. Bhalla, Advocate for the petitioner.

Mr. Ankur Jain, AAG Punjab.

RAJAN GUPTA J.

Petitioner seeks quashing of FIR registered against him under sections 420, 120-B IPC and section 13(1)(D) read with Section 13(2) 88 of Prevention of Corruption Act, 1988 by Vigilance Bureau, Mohali. Proceedings have been challenged primarily on the ground that for the same offence, petitioner is facing proceedings under The Drugs and Cosmetics Act, 1940 in various districts in Punjab. Besides, perusal of FIR shows that no offence as alleged is made out.

Learned State counsel has opposed the plea. According to him, there are serious allegations against the petitioner. Besides, trial has made considerable progress. Out of 20 witnesses cited by the prosecution, eleven have already been examined. They have also been subjected to cross-examination by counsel for the accused.

I have heard learned counsel for the parties.

FIR was registered by Vigilance Bureau. It was alleged

that in the year 1999, DRME, Punjab purchased material worth ₹68.00 lacs. This material was found to be not as per the specification. By supplying material of inferior quality, loss had been caused to the government exchequer.

Keeping in view nature of allegations, I am of the considered view that no case for quashing of FIR in question is made out. Plea of the petitioner that he is already facing proceedings under The Drugs and Cosmetics Acts, thus, instant proceedings are vitiated is without any substance. Law is well settled that if two offences are distinct and are not related to each other, separate trials would continue. No case is made out for quashing of FIR. Dismissed.

March 31, 2016

Ajay

(RAJAN GUPTA)
JUDGE