

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH.**

219

CRR-1634 of 2014

DATE OF DECISION: 09.12.2016.

Parkash Chand Garg

...Petitioner.

VERSUS

State of Punjab and another

...Respondents.

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

Present: Mr. Ravi Kamal Gupta, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra,
Deputy Advocate General, Punjab.

Mr. Aakash Singla, Advocate
for respondent No.2.

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

I have heard learned counsel for the petitioner and his grievance is that the cancellation report against respondent No.2 has been accepted causing prejudice to the petitioner.

I have heard counsel for the petitioner and gone through the impugned order.

The right of the petitioner and the prosecution agency had not been jeopardized. The right to prosecute respondent No.2 has been safeguarded by observing that in case sanction is granted, the matter can be reopened at any point of time. The said observation of the Court is in consonance with the spirit of the judgment of the Apex Court in Nanjappa

Vs. State of Karnataka, 2015(3) RCR (Criminal) 862.

Observing that an order of discharge, passed in such circumstances, will not debar the prosecution to take appropriate remedy and will not be a bar under Section 300 Cr.P.C, finding no illegality in the impugned order, the petition is dismissed.

(M.M.S. BEDI)
JUDGE

09.12.2016.

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Whether speaking/reasoned:	Yes/ No
Whether reportable:	Yes/No