

**IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH
103**

CWP-1729-2019

Date of decision: 22.01.2019

Gurmeet Singh @ Babloo

...PETITIONER

VS.

Punjab State Information Commission and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. B.D.Sharma, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J.(ORAL)

Challenge in this writ petition is to the order dated 02.01.2019 (Annexure P-8) passed by the State Information Commission, Punjab, the order dated 10.12.2018 (Annexure P-7) passed by the Public Information Officer, Punjab, vide which the information, as sought by the petitioner, has been declined in the light of the provisions as contained in Section 8 (1) (h) of the Right to Information Act, 2005.

It is the contention of the learned counsel for the petitioner that the information, which has been sought by the petitioner, would not impede the investigation/apprehension/prosecution of offenders. He further contends that the provisions of Section 8 (1) (h) of the Right to Information Act, which would provide for the exemption, would not be applicable to the case in hand. He, thus, contends that the orders cannot sustain and deserve to be set aside.

I have considered the submissions made by the learned counsel for the petitioner and with his assistance, have gone through the records of the case.

It is an admitted position that on the basis of the complaint submitted by Smt. Mandeep Kaur, PIO-cum-Principal of Govt. Girls Senior Secondary School, Mall Road, Amritsar, *Kalandra* for initiating proceedings against the petitioner under Section 182 Cr. P.C. has been presented to the competent Court. The information, as has been sought by the petitioner, would , therefore, directly impede the process of prosecution and, therefore, fall within the provisions of Section 8 (1) (h) of the Right to Information Act. Invoking the said Section for not supplying the information to the petitioner, therefore, cannot be faulted with.

In view of the above, finding no illegality in the orders passed by the authorities, as challenged, the writ petition, being devoid of merit, stands dismissed.

(AUGUSTINE GEORGE MAISH)
JUDGE

January 22, 2019

pj

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No