

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

CRM-M-6429-2018 (O&M)
Date of Decision : 10.4.2019

Pawan Kumar

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Mayank Aggarwal, Advocate
 for the petitioner.

Mr. Gaurav Bansal, AAG, Haryana.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.39 dated 30.9.2016, under Section 7 of Prevention of Corruption Act, registered at Police Station SVB Rohtak and all other consequential proceedings arising therefrom on the basis of compromise.

Today learned counsel for the petitioner has argued when the petitioner had filed an application for anticipatory bail, bail was granted to him by this Court (by order Annexure P-2) on the specific statement of the Government counsel that the investigation was moving towards filing of a cancellation report. Thereafter, after the filing of this petition the competent authority had given a reasoned decision dated 7.3.2018 (a copy of this

decision is taken on record and marked as Mark 'A') declining sanction for prosecute the petitioner.

On the other hand, the stand of the State is that findings of the DSP, Vigilance were put before the Director General, State Vigilance who disagreed with the findings and wrote a letter to the Additional Chief Secretary, pointing out the flaws and conclusion which were being withdrawn. Thereafter, vide letter dated 21.5.2018 (a copy of this letter is taken on record and marked as Mark 'B') the Additional Chief Secretary wrote to the competent authority (Deputy Commissioner, Sonapat) to take a relook at the matter after going through the material send by the Director General, State Vigilance. However, he states that matter is still pending.

In the circumstances, it is made clear that till that decision no further action can be taken on this FIR.

The petition is disposed of at this stage.

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

10.4.2019

anuradha

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No