

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANIDGARH

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CRM-M-38120 of 2018 (O&M)

Date of Decision: 04.07.2019

Sandeep Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mohit Garg, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

Mr. D.S. Malwai, Advocate
for the applicant.

ANIL KSHETARPAL, J (ORAL)

CRM-42512-2018

Application is allowed as learned counsel for the petitioner has
no objection for impleadment.

Main Case

Affidavit of Director General of Police, Punjab has been filed
which is taken on record. Para 5 of the affidavit reads as under:-

*“That it is humbly submitted that this FIR was registered
on 28.10.2015. The initial investigation was conducted by the
local police. However, subsequently, in view of allegations of
loss to public exchequer and connivance of government officials,
vide letter dated 15.6.2017, investigation was transferred to
Vigilance Bureau, Punjab. The Vigilance Bureau investigated the
case and sent its report dated 20.6.2019 to the office of the
deponent recommending cancellation of the FIR. Upon approval*

of the same, letter has been written to SSP/Patiala to file cancellation report of the above-said case.

As regards the query raised by this Hon'ble Court regarding delay, it is humbly submitted that the Vigilance Bureau, Punjab has intimated that the present case pertains to auction of private land, regarding which extensive revenue records were required to be examined during investigation of the case. The same is a lengthy process as it involves obtaining opinion from the experts from time to time. Apart from the above, a large number of documents and a number of witnesses have been examined in the present case, which was a time consuming process. Further, the office of Vigilance Bureau was shifted from Sector-17, Chandigarh to Sector-68, SAS Nagar, Mohali and shifting of records also took a lot of time. In addition, the concerned IGP/EOW, Vigilance Bureau, Punjab was deputed for election duty. All of above factors cumulatively resulted in delay in investigation of the case.”

In view of the aforesaid affidavit, learned counsel for the petitioner submits that the present petition be disposed of. However, Senior Superintendent of Police, Patiala is directed to file the cancellation report within one month.

Disposed of.

(ANIL KSHETARPAL)
JUDGE

04.07.2019
D.Bansal

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No