

HIGH COURT OF CHHATTISGARH, BILASPURWP PIL No. 64 of 2021

1. In The Matter Of Public Interest Litigation / Letter Petition
Submitted By Mohammad Gulam Ali Khan R/o G.E. Road,
Bairan Bazar, Raipur, District Raipur, Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through The Secretary, Home
Department, Secretariat, Mahanadi Bhawan, Atal Nagar,
Raipur Chhattisgarh
2. Director General Of Police Directorate, Indirawati Bhawan,
Raipur, Chhattisgarh.
3. Director Economic Offences Wing / Anti Corruption Bureau,
Directorate, Indirawati Bhawan, Raipur, Chhattisgarh.
4. Superintendent Of Police, Anti Corruption Bureau, Raipur,
District Raipur, Chhattisgarh.

---- Respondents

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- This is an office reference.
 - Shri Dayan Krishnan, Senior Advocate and Shri Vivek Ranjan
Tiwari, Addl. Advocate General with Shri Mateen Siddiqui,
Dy. Advocate General for the State.
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*(Proceedings through Video Conferencing)*Hon'ble Shri Prashant Kumar Mishra, Ag. CJHon'ble Shri N.K. Chandravanshi, J.Order On BoardByPrashant Kumar Mishra, Ag. CJ.

05-08-2021

1. To strengthen the fight against corruption this Court entertained the present letter petition sent by Mohammad Gulam Ali Khan to be registered as a Public Interest Litigation (PIL) and notices were issued to the respondents for submitting reply.
2. The letter highlighted and provided list of 90 cases in which complaints have been lodged with the Anti Corruption Bureau, Chhattisgarh (ACB), however, no action has been taken in any of the matter.
3. Shri Dayan Krishnan, learned Senior Advocate appearing along with Shri Vivek Ranjan Tiwari, Addl. Advocate General and Shri Mateen Siddiqui, Dy. Advocate General for the State would draw attention of the Court to the additional documents filed by the State on 23-7-2021 providing details of action taken in all 54 cases where the complaints have been received. Learned senior counsel would particularly refer to paras 4 to 6 of the application, which are reproduced hereunder :

(4) That the petitioner in the instant petition has provided a list of some 90 persons and alleged that these are ongoing investigations where the ACB/EOW has not been acting in accordance with law.

(5) In compliance of the aforesaid order dated 1/7/2021 of this Hon'ble Court the answering respondents/State are herewith filing the copy of the list of those alleged 90 persons wherein the present status of the investigation done by the ACB/EOW

are collectively filed herewith as Annexure – M and copy of the details of FIRs/ Preliminary Enquiry & complaints are collectively annexed as Annexure – N.

(6) That a chart has also been prepared showing the present status of the enquiry as on date prepared by the ACB/EOW in which out of above mentioned 90 complaints, in which there were no complaints received in respect to 36 persons and persons against whom complaints received are 54. That for these 54 persons total 67 complaints were received. It is respectfully submitted that out of the 67 complaints crime under investigation are 19 and compliant converted into Preliminary Enquiry are 4, complaint pending at present is 0 (Nil) whereas 44 complaints were closed. Copy of the chart prepared by ACB/EOW is annexed herewith as Annexure – O.

4. It is, thus, stated that as against 54 persons, 67 complaints were received out of which crime under investigation are 19 and complaints converted into preliminary enquiry are 4 and no complaint is pending before the ACB, against a person, who is named in the letter. A chart (Annexure – 'M') has been filed showing the details of action taken in respect of each of the complaint.
5. Shri Dayan Krishnan, learned Senior Advocate, also assures this Court that speedy action shall be taken on complaints

received by the ACB against the corrupt officers/ employees and the time line provided by the Hon'ble Supreme Court in ***Lalita Kumari v Government of Uttar Pradesh and Others*** (2014) 2 SCC 1 shall be adhered. He would also submit that there may be isolated instances of harassing the complainants, however, any such case if brought to the notice of the State Government, the same shall be effectively dealt with and the person who is involved in harassing the complainants shall also be dealt with in accordance with law.

6. In view of the return filed and the statement given by the learned senior counsel appearing for the State, we do not deem it appropriate to keep this proceeding pending for any further hearing.
7. Accordingly, the present WP (PIL) is disposed of.

Sd/-

(Prashant Kumar Mishra)
Acting Chief Justice

Sd/-

(N.K. Chandravanshi)
Judge

Gowri