

In the High Court of Punjab and Haryana, at Chandigarh

Civil Writ Petition No. 19475 of 2021

Date of Decision: 04.10.2021

Smt. Darshna Devi

... Petitioner(s)

Versus

State of Haryana and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sandeep Parkash Chahar, Advocate
for the petitioner(s).

Mr. Samarth Sagar, Additional Advocate General,
Haryana, for the respondents.

Anil Kshetarpal, J.

1. On 27.09.2021, the following order was passed by this Court:

“The learned counsel representing the petitioner, inter alia, contends that in the inquiry, it has been found that the petitioner has made excess payment without getting any approval from the competent authority. He contends that in order to show his bonafide, the petitioner has deposited the alleged excess payment in the account of the Panchayat. However, even in that case the Deputy Commissioner has directed the registration of an FIR against the petitioner. He contends that mens rea against the petitioner is neither alleged nor proved.

Notice of motion.

On the request of the Bench, Mr. Samarth Sagar,

Additional Advocate General, Haryana, accepts notice on behalf of the respondents. He prays for and is granted a short accommodation to get the complete instructions.

Adjourned to 30.09.2021”.

2. Mr. Samarth Sagar, Additional Advocate General, Haryana, on the instructions from the Deputy Commissioner, Rohtak, has informed the Court that the State does not wish to get the FIR lodged without forming any opinion with regard to *mens rea* against the petitioner.

3. In view of the above, the present writ petition is disposed of.

(Anil Kshetarpal)
Judge

October 04, 2021
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No