

120IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-23535-2021  
Date of Decision: 22.11.2021

DINESH SINGH

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN MONGA**

Present : Mr. Sunil Kumar Nehra, Advocate  
for the petitioner.

Mr. Saurabh Mohunta, D.A.G., Haryana.

**(Presence marked through video conference)**

**ARUN MONGA, J. (ORAL)**

Petition, herein, is for issuance of a writ in the nature of *certiorari* quashing FIR No.0276 dated 17.09.2020 (Annexure P-7) registered under Sections 7, 8 and 13 of the Prevention of Corruption Act, 1988, the impugned inquiry report dated 30.07.2020 (Annexure P-5) and charge sheet dated 17.05.2021 (Annexure P-10).

2. Learned counsel for the petitioner submits that a complaint has been given by one Shekhar Aggarwal against the petitioner, while he was working as Tehsildar, Naraingarh and against one Randeep Rana @ Bhura,. He further submits that on the complaint of said Shekhar Aggarwal, an inquiry was marked to SDO (Civil), Naraingarh, without any supporting affidavit. Learned counsel submits that Hon'ble Apex Court in *Yashwant Sinha and others vs CBI and another 2020(2) SCC 338*, while interpreting the amended provisions of Section 17-A of the

Prevention of Corruption Act, 1988, has held that no inquiry or FIR can be registered against a public servant without prior approval of the competent authority.

3. Heard.

4. Dismissed as premature and even otherwise not maintainable, with liberty to the petitioner to seek his alternative remedy as may be available to him and if so advised, as well as, also to take up all the pleas raised in the petition before the competent authority at an appropriate stage.

**November 22, 2021**  
gurpreet

**(ARUN MONGA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No