

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

237

CRM-M-18583 of 2017 (O&M)

DECIDED ON:13th December, 2022

Sahil Bansal

.....PETITIONER

VERSUS

State of Punjab and another

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Vipul Sharma, Advocate for petitioner.

Mr. Shiva Khurmi, AAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This petition is filed aggrieved of order dated 12.12.2016 whereby the prayer of the applicant was to release his detail mark-sheet, degree certificate in FIR No. 4 dated 6.4.2016, under Sections 409, 420, 120-B IPC and Section 13(1)(d) read with Section 13(2) of Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Phase-I, Punjab at Mohali, was rejected.

State had filed reply dated 19.8.2019. Para-5 thereof is reproduced below:-

"5. That during the investigation of the case FIR No. 15 dated 16.10.2016, under Sections 409, 420, 467, 468, 471, 120-B and 13(1)(d) read with Section 13 (2) 1988 PC Act, P.S. Vigilance Bureau, Punjab at Mohali, the documents of the petitioner were recovered from the accused Binay Kumar @ Bhaskar during his search. In FIR No. 15 dated 16.10.2016, the report u/s 173 Cr.P.C. qua the other accused including accused Binay Kumar @ Bhaskar was presented before the Ld. Court of competent jurisdiction on 16.3.2017. The documents of the petitioner/accused were attached with the Challan file of the case FIR No. 15 dated 16.10.2016. Now the proceedings of the case is in progress and charges have been framed on 3.11.2017 and the case is fixed for prosecution witnesses for 5.4.2019."

As per the pleadings of the reply, the documents being asked for release are attached with the challan in FIR No. 15 dated 16.10.2016 and these were recovered from the accused-Binay Kumar @ Bhaskar in that FIR.

In view of above, no further directions are called for.

Disposed of.

Needless to say that the petitioner would be at liberty to avail remedy in accordance with law.

Since the main case has been disposed of, the pending application, if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

13th December, 2022

reema

Whether speaking/reasoned *Yes*

Whether reportable *No*