

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

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C.W.P. No.12884 of 2022

Date of Decision:- 02.06.2022

Amar Dev and another

....Petitioners

vs.

State of Punjab and others

....Respondents

BEFORE :- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Baldev S.Sidhu, Advocate,
for the petitioners.

Sudhir Mittal, J. (Oral)

The petitioners allege that no enquiry can be conducted on the basis of Complaint No.144/2021 because a similar complaint has already been enquired into. Pursuant to complaint aforementioned, record of the Panchayat from the years 2008-2018 has been summoned by the Deputy Superintendent of Police, Vigilance Bureau Unit, District Fazilka. The Vigilance Bureau has already exonerated the petitioner vide report dated 9.7.2020 and, thus, initiation of a second enquiry is illegal.

A perusal of the enquiry report dated 9.7.2020 shows that the same has been submitted by the Economic Offences Wing and not by the Vigilance Bureau. It was found therein that allegations of embezzlement of money of dead persons of village Amarpura by the petitioners were not substantiated.

The submission that the said enquiry bars a second enquiry cannot be accepted as the record does not reveal the nature of the complaint filed now.

Moreover, the proposed enquiry is to be conducted by the Vigilance Bureau and not

by the Economic Offences Wing. The submission of learned counsel for the petitioner is, thus, not entitled to be accepted.

The writ petition has no merit and is accordingly dismissed.

June 02, 2022
poonam

(SUDHIR MITTAL)
JUDGE

Whether Speaking/Reasoned Yes/No

Whether Reportable Yes/No