

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

CRM-M-23937 of 2020

Date of Decision: 17th August, 2022

Jagdish Chand

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Akshay Jindal, Advocate for the petitioner.
Mr. Gurmit Singh, AAG, Haryana.

AVNEESH JHINGAN, J.(Oral)

This petition was filed seeking quashing of FIR No. 276 dated 5.8.2020, under Sections 420, 467, 468, 471, 120-B IPC, registered at Police Station DLF Gurugram.

Notice of motion was issued on 9.9.2020 and in the meantime, it was ordered that coercive methods may not be resorted to secure presence of the petitioner.

The ground for quashing was that no prior approval under Section 17A of the Prevention of Corruption Act, 1985 (for short, 'the Act') has been received.

Learned counsel for the State on instructions from DSP-Vikas Kaushik submits that till date approval has not been received.

Without prior approval no enquiry/inquiry or investigation can be conducted as per Section 17A of the Act.

The petition is disposed of at this stage with liberty to the petitioner to revive the prayer in case need so arises.

It is clarified that in case the approval is received, the authorities concerned will issue at least ten days clear notice to the petitioner for appearing before the authority.

**(AVNEESH JHINGAN)
JUDGE**

17th August, 2022

mk

Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No