

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(113)

CRM-M-13107-2022 (O&M)
DATE OF DECISION:-01.06.2023

Rajiv Kawatra

...Petitioner

vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Bipin Ghai, Sr. Advocate, with
Mr. Nikhil Ghai, Advocate, and
Mr. Subham Mangla, Advocate, for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Dr. Anmol Rattan Sidhu, Senior Advocate, with
Mr. Pratham Sethi, Advocate, for respondent No.6.

HARKESH MANUJA, J.

(1) By way of present petition filed under Section 482 Cr.P.C. for registration of case against respondent No.6 for offence under Prevention of Corruption Act.

(2) In pursuance of last order, an affidavit dated 01.06.2023 under the signatures of Joint Secretary to Government, Haryana, Home Department, has been filed in Court today, the same is taken on record. A copy thereof has been supplied to learned counsel for the petitioner. Relevant Para No.2 to 5 thereof are reproduced hereunder for reference:

“2. That at the very outset it is humbly submitted that in compliance of the above direction dated 13.03.2023, the inquiry proceedings have been concluded by the State Vigilance Bureau, Haryana (now Anti Corruption Bureau, Haryana) and the report has been received from the Director General, Anti Corruption Bureau, Haryana through the office of Chief Secretary, Haryana vide communication dated 23.05.2023.

3. *That as per the said report dated 23.05.2023, recommendation has been made to register an FIR against Dr. Anita Kadian, Deputy Director, FSL, Madhuban, Karnal, Sh. Neeraj Gaur, Director M/s Mygene Life Solution Company, New Delhi, Brij Singh, Operations Sales Manager, Mygene Company, New Delhi and Chander Bhanu Chaudhary, M/s Thermofisher Scientific Company Gurugram under sections 7,8 and 13 of the Prevention of Corruption Act, 1988 and 120-B of IPC.*

(4) *That as per the Haryana Vigilance Manual, criminal case can be registered in accordance with clause 4.2 of the said Manual, which is reproduced as under:*

“4.2 Registration of Vigilance Cases

Criminal cases can be registered in the Vigilance Police Station by the following methods:-

(a) ***As per the orders of the Govt. on the findings of Registered Vigilance Enquiries.***

(b) *Red Handed capture/trap raid on a Government Servant..”*

(5) *That in view of sub-clause (a) of clause 4.2 of Haryana Vigilance Manual quoted above, the matter has been submitted to the competent authority as per Rules of Business of the Government of Haryana, 1977, for taking appropriate decision on the recommendation made by the Anti Corruption Bureau, Haryana. Further action will be taken accordingly.”*

In view of the aforesaid, once the inquiry conducted by the State Vigilance Bureau, Haryana, has been concluded vide order/report dated 23.05.2023 and recommendation has been made to register FIR against respondent No.6 including few others, no cause survives in the present petition and in view of paras No.2 to 5 of the affidavit dated 01.06.2013 filed today, the present petition is disposed of with a direction that action be taken in view of the report dated 23.05.2023, preferably within a period of 4 weeks

CRM-M-13107-2022 (O&M)

3

2023:PHHC:080515

from today.

3. Disposed of accordingly.

01.06.2023
anil

(HARKESH MANUJA)
JUDGE

whether speaking/reasoned:

Yes/No

whether reportable:

Yes/No