

CRM-M-55935-2023 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-55935-2023 (O&M)

Date of Decision: 14.11.2023

Sanjiv Khanna

... Petitioner

V/s.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present : Mr. A.D.S. Jattana, Advocate
for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab.

ANOOP CHITKARA, J.(Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of the notice issued under Section 160 Cr.P.C. dated Nil (Annexure P-2) issued by respondent No. 2 to include the petitioner in FIR No. 18 dated 12.10.2022 (Annexure P-1) under Section 13 (1) (b) of the Prevention of Corruption Act, 1988 read with Section 13 (2) of the Prevention of Corruption (Amendment) Act, 2018 registered at Police Station; Vigilance Bureau, Flying Squad-1, Punjab at Mohali, District SAS Nagar.

2. State counsel, on instructions from Mr. Inderpal, Inspector, who is present in Court submits that as on date the petitioner is not an accused and his presence is only required for the purpose of investigation of the case, as such the present petition is not maintainable.

3. On this, the petitioner's counsel submits that in case the State wants to array the petitioner as an accused, they must inform him at least

two days in advance.

4. Given this, since there is no offence bailable or non-bailable against the petitioner as on date, as such the petition is disposed of. It is clarified in case the petitioner is arrayed as an accused or required as an accused, the investigator shall inform him at least two days in advance. Service through e-mail on him will be sufficient for compliance of this order. The petitioner's counsel to supply the e-mail id of himself as well as of the petitioner to the Investigator as well as State counsel in the Court itself.

5. This order is subject to the clarification that once notice under Section 160 Cr.P.C. is served, the petitioner shall join the investigation. The Investigator submits that he is occupied today and the petitioner be directed to join on 20.11.2023 at 10 a.m. in his office and the address will be communicated by the State to the petitioner's counsel during the course of the day.

Ordered accordingly.

Petition stands disposed of with above said observation. All pending applications, if any, stands disposed of.

14.11.2023
Seema

(ANOOP CHITKARA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes /No</i>