



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

109

CWP-27916-2025

Date of Decision: 09.04.2026

SANJAY KANWAR

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. P.S. Ahluwalia, Senior Advocate with
Mr. Siddharth Sihag, Advocate for petitioner

Mr. Aman Dhir, D.A.G., Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking direction to respondent Nos. 2 & 3 not to act upon impugned letter dated 01.09.2025.

2. Learned Senior counsel submits that Additional District and Sessions Judge-cum-Special Judge has addressed impugned letter dated 01.09.2025 to the Additional Chief Secretary, Department of Local Government, Punjab (for short "ACS"). By said letter, the judicial officer has asked ACS to look into the matter and expedite the decision on application filed by prosecuting agency seeking sanction to prosecute. The judicial officer may pass order on judicial side, however, cannot ask



authorities by way of letter to expedite decision on application seeking sanction to prosecute a public servant.

3. Learned State counsel submits that in view of interim order dated 24.09.2025 passed by this Court, the authorities have not adjudicated application filed by prosecuting agency seeking sanction.

4. Heard the arguments and perused the record.

5. From the perusal of record, it is evident that judicial officer has not asked authorities to grant sanction whereas he has simply asked to adjudicate the question of sanction so that trial may proceed in one or another way. The judicial officers are bound to adjudicate matters as expeditiously as possible. The prosecuting agency files Police report without sanction and bureaucrats sit over the matter. They do not adjudicate application seeking sanction in one or another way. On every date matter is taken up by trial Court and in the absence of adjudication of application seeking sanction, it is adjourned. It entails wastage of valuable time, energy and public resources. The judicial officer has authored impugned letter under unavoidable and compelled circumstances. Most of the judicial officers are working without proper infrastructure and in a charged atmosphere. The entire problem has been created by bureaucrats who are least bothered of problems faced by judicial officers.

6. As per written statement, the prosecuting agency filed application on 10.06.2025. The Police report under Section 173 of Cr.P.C/Section 193 of B.N.S.S. was filed before trial Court on 13.06.2025. The judicial officer wrote impugned letter on 01.09.2025. Even as on day,



the respondent has not decided fate of the application. This shows lethargic, lackadaisical and irresponsible attitude of the officer.

7. There is no infirmity in the impugned order warranting interference. This Court is of the considered opinion that petition deserves to be dismissed and accordingly dismissed.

8. Before parting with the order, this Court finds it appropriate to ask Chief Secretary to look into act and conduct of the officer who was dealing with the file and take an appropriate action within four weeks from today. The copy of decision taken by Chief Secretary would be filed in the Registry of this Court.

9. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

09.04.2026
SDK

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No