

HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

MAIN CASE: **CRIMINAL PETITION No.7581 of 2022**

PROCEEDING SHEET

Sl. No	DATE	ORDER	OFFICE NOTE.
1.	22.9.2022	<u>NJS,J</u> <u>Crl.P. No.7581 of 2022</u> Heard learned counsel for the petitioners and the learned Standing Counsel for C.I.D., appearing for the respondents. List the matter along with Crl.P.Nos.5584, 6044 and 6409 of 2022. NJS,J <u>I.A. No.1 of 2022</u> Heard learned counsel for the petitioner and learned Standing Counsel for C.I.D. Learned counsel for the petitioners drawing the attention of this Court to the articles of charges framed against the petitioners submits that there are no allegations of misappropriation of funds by the petitioners and the charges made against them amount to negligence and dereliction of their duties. He also submits in the similar circumstances interim order was granted in Crl.P.No.6044 of 2022 dated 08.08.2022. Learned Standing Counsel on the other hand submits that the FIR is registered on the basis of vigilance report dated 28.02.2019 and that the departmental proceedings and the criminal action	

are different matter is under investigation and warrants no interference. She places reliance on the decision of the Hon'ble Supreme Court in **Union of India vs. Dalbir Singh**, Civil Appeal No.5848 of 2021, dated 21.9.2021. She submits that the petitioner failed to obtain anticipatory bail and thereafter filed the present Criminal petition. She requests time for filing counter.

Considered the submissions made by the respective counsel and perused the material on record. Though the learned Standing Counsel submits that the present action has been initiated against the petitioner pursuant to vigilance report dated 28.02.2019, which it is different from the departmental action, this Court is unable to accept the same as on the basis of the very same report the disciplinary proceedings were initiated against the petitioners wherein there are no charges much less allegations of misappropriation are leveled against the petitioners.

In view of the same, there shall be stay of all further proceedings, as prayed for, in FIR No.51 of 2022 on the file of CID P.S., A.P., Amaravathi, Mangalagiri, in so far as the petitioners/Accused Nos.5 & 6 are concerned, for a period of eight weeks.

NJS,J
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