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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2486/2020, CRL.M.A. 17605/2020,**
CRL.M.A. 6033/2021 & CRL.M.A. 27568/2024

RAJEEV BHARDWAJPetitioner
Through: Mr. Vijay K. Singh &
Mr. Himanshu Dubey,
Advs.

versus

THE STATE & ANR.Respondents
Through: Mr. Sunil Kumar Gautam,
APP for the State
SI Kamlesh Kumar, PS-
Pul Prahladpur
Mr. Harsh Prabhakar
(DHCLSC), Mr. Dhruv
Chaudhary, Mr. Shubham
Sourav & Mr. Vijit Singh,
Advs. for R2

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
% **28.07.2025**

1. The learned counsel for the petitioner submits that the learned Trial Court erroneously took cognizance noting that since sanction was not accorded within three months, there would be a deemed sanction to prosecute the public servants.
2. He relies upon the judgment passed by the Hon'ble High Court of Karnataka in the case of **S. Sridhar v. R. Srinivasa and Ors.: MANU/KA/2457/2015** in support of his arguments.
3. The learned counsel for the complainant states that without prejudice to his contention that once the sanction is not accorded within three months the same would be taken as a deemed



sanction, no sanction was even otherwise required in the present case.

4. He submits that the petitioner, at the time of incident, was working as GM (HRD), Container Corporation of India whereas at the time of taking cognizance, he was no longer working with the said department but was working as Director (HR) with Solar Energy Corporation of India.

5. The learned counsel for the petitioner, however, refutes the said contention and states that the petitioner had joined his parent organisation being Container Corporation of India on 19.08.2018 that is prior to the cognizance being taken.

6. He seeks time to file the relevant documents.

7. Let the same be done before the next date of hearing with an advance copy to the other side.

8. List on 10.09.2025.

AMIT MAHAJAN, J

JULY 28, 2025

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