

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Misc(Pet.) No. 6477/2021

Rai Sahab Swami S/o Ram Gopal, Aged About 58 Years, R/o VPO
Samaje Kothi, Sriganganagar.

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

Connected With

S.B. Criminal Misc(Pet.) No. 6478/2021

Vikas Garg S/o Govind Ram, Aged About 38 Years, R/o Ward No.
3 Shastri Colony, Raisinghnagar, Sriganganagar.

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Rajesh Joshi, Senior Advocate assisted by Mr. Abhishek Mehta and Mr. Rahul Choudhary
For Respondent(s)	:	Mr. S.K. Bhati, PP

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

06/12/2021

Heard learned Senior Counsel for the petitioners.

Learned Senior Counsel submits that the petitioners are the employees of the Cooperative Societies posted at Sri Ganganagar. He further submits that an FIR No.327/2021 dated 02.09.2021 has been registered against the petitioners at Police Station C.P.S. A.C.B. Jaipur for the offences under Sections 7 and 8 of the Prevention of Corruption Act, 1988. He submits that as mandated under Section 17A of the Act of 1988, previous sanction is

necessary for initiating investigation. He submits that since no sanction was taken by the Investigating Agency before lodging the FIR, the proceedings are nonest.

Issue notice. Issue notice of the stay application also, returnable on 05.01.2022.

Learned Public Prosecutor seeks some time to file reply to the petitions.

Time prayed for is allowed.

List the matters on 05.01.2022. In the meanwhile and till the next date of hearing, the charge-sheet in the case shall not be filed without the leave of this Court. Connect with S.B. Criminal Misc(Pet.) No. 5620/2021.

(VINIT KUMAR MATHUR),J

216-217-Shahenshah/-

