

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Writ Petition No. 2642/2023

Shailendra Kumar Sharma S/o Sh. (Late) Banwari Lal Sharma,
Aged About 30 Years, R/o E-233, Nakoda Colony, Baran, District
Baran (Erstwhile Junior Assistant, Residential Engineer Office,
Housing Board Block, Baran, District Baran (Raj).

----Petitioner

Versus

1. State Of Rajasthan, Through PP
2. Director General, Anti Corruption Bureau, Rajasthan,
Office At J-9, Jhalana Institutional Area, Jaipur (Raj).
3. Commissioner, Rajasthan Housing Board, Jaipur (Raj).
4. Omprakash Sharma S/o Sh. Narayan Lal, Aged About 32
Years, R/o Hous No. 1, G-45-46, Housing Board, Baran,
District Baran (Raj).

----Respondents

For Petitioner(s) : Ms. Shreya Hatila

For Respondent(s) : Mr. Mahendra Meena, PP

HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

14/05/2024

Learned counsel for the petitioner submits that impugned prosecution sanction dated 08.04.2021 has been issued without application of mind and same has been issued in a mechanical and stereo typed manner by just filling in the blanks, as per the format/draft sent by the ACB along with the letter sent by it to the respondent No.3. It is submitted that bare perusal of the impugned prosecution sanction order reveals that prosecution sanction is ad verbatim to the draft sent by the ACB, along with the letter.

Considering the aforesaid submissions, issue notice to the respondents.

Learned State counsel accepts notice on behalf of respondent No.1. Copy of this petition has already been supplied in his office.

Let notice be issued to respondent Nos.2 to 4 through both the processes. Rule is made returnable on the next date of hearing.

Requisites be filed within a period of ten days failing which, this petition shall stand dismissed automatically without further reference to the Bench.

List this case on 26.07.2024. Till then, operation and effect of prosecution sanction order dated 08.04.2021 passed by respondent No.3 - Commissioner, Rajasthan Housing Board, Jaipur shall remain stayed.

(ANIL KUMAR UPMAN),J