

ITEM NO.4

COURT NO.13

SECTION II-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

MISCELLANEOUS APPLICATION Diary No(s).15537/2026 in SLP(Crl.)
No.2316/2026

VISHAL KAUSHIK

Petitioner(s)

VERSUS

STATE OF HARYANA

Respondent(s)

WITH

Diary No(s). 15539/2026 (II-B)

VISHAL KAUSHIK

Petitioner(s)

VERSUS

STATE OF HARYANA

Respondent(s)

Date : 19-03-2026 These petitions were called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) Ms. Mrinal Kanwar, AOR

Mr. Shreeyash Uday Lalit, Adv.
Ms. Ishita Khurana, Adv.
Mr. Ishaan George, AOR

By Courts Motion, AOR

For Respondent(s) Mr. Lokesh Sinhal, Sr. AAG
Mr. Madhav Sinhal, Adv.
Mr. Rahul Khurana, AOR

O R D E R

At the outset, Mr. Lokesh Sinhal, learned Senior Additional Advocate General for the respondent-State of Haryana submits that as far as the present case is concerned, the affidavit which has been filed on behalf of the State of Haryana in terms of the previous order dated 11.02.2026 passed by this Court reflects that no permission for inquiry has been sought against the Commissioner of the Department; however, with regard to the Chief Engineer, the matter is still pending consideration. We are shocked at the conduct of the Government that even permission for inquiry has not been given. We refrain from commenting at this stage.

2. He submits that he would get specific instructions, as to why, the prosecution had not arrayed the Chief Engineer and the Commissioner of the Department as accused when specifically the accused, who was caught, has stated that the money was being taken at their behest.

3. We would not like to comment on the picture which is emerging and what the Court is required to do in the matter. We only indicate that the Court will not be found wanting in passing appropriate order(s) as may be necessary.

4. We are at a loss to understand, as to why, the matter has been kept pending and why the permission for inquiry has not been granted. It is for the Trial Court to come to a conclusion whether they are guilty or not but the Government should not be seen shielding any officer, no matter how high a position she/he holds.

5. As learned Senior Additional Advocate General for the respondent-State has asked for one more opportunity to take full instructions; depending on the instruction he gets, the Court will pass appropriate orders.

6. We indicate that the Court is taking this matter seriously and if it gets an impression that anybody notwithstanding the position held by her/him, is under any protection from any authority, this Court would pass appropriate orders and intervene strongly in the matter.

7. At the request of learned Senior Additional Advocate General for the respondent-State to show its *bonafide*, the matters be listed on 14.04.2026, at the top of the Board.

(SAPNA BISHT)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR