

ITEM Nos.6 COURT NO.3 SECTION II
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).5047/2013
(From the judgement and order dated 07/06/2013 in CRLP No.234/2012,
of The HIGH COURT OF GUWAHATI, ASSAM)

ALOK KHARE Petitioner(s)

VERSUS

THE STATE OF ASSAM Respondent(s)
(With appln(s) for ex-parte stay and office report)

Date: 21/06/2013 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE A.K. PATNAIK
HON'BLE MR. JUSTICE RANJAN GOGOI
(VACATION BENCH)

For Petitioner(s) Mr. Arunabh Chowdhury, Adv.
Mr. Sarvesh Singh Baghel, Adv.
Mr. Rahul Pratap, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

A substantial question of law arises in this special leave
petition as to whether the Trial Court can proceed with the
prosecution of government servants even where the Government refuses
sanction for prosecution under Section 197, Cr.P.C. or Section 19 of
the Prevention of Corruption Act, 1988.

Issue notice.

In the meanwhile, there shall be stay of further proceedings in
the Court of Special Judge, Guwahati, Assam in Spl. Case No. 19/2012
arising out of Vigilance Case P.S. No. 2/2004.

| (G. SUDHAKARA RAO) | | (SHARDA KAPOOR) |
| COURT MASTER | | COURT MASTER | |