

## CASE REGISTRATION

If after a detailed/comprehensive enquiry, prima facie commission of an offence is established, a criminal case is registered at ACE police station by the orders of the competent authority and thereafter investigation is conducted under the law, under Rule-6 of the Punjab Anti Corruption Establishment Rules, 2014.

After registration of case, the concerned Department is informed accordingly. The arrest of the accused public servant may take place if inevitable with the permission of the competent authority. However no prior permission for registration of case and arrest of the accused public servant is required if he is caught red handed as a result of trap raid.

- **Investigation**

After the validity of enquiry, a case is proposed to be registered by the Enquiry Officer to the concerned authorities. The authorities approve either the proposal or validate the proposal via Legal Wing. If not proposed to be dropped, registration of a case is approved by the concerned authorities, if considered appropriate and marked it to the subsequent Investigation Officer (I.O).

The ACE police station launches the F.I.R and the case rests to the marked Investigation Officer. The next step is the collection of evidences to prove the validity of case conducted by the investigation officer. Meanwhile, concerned parties are summoned and questioned. Place of the crime is observed, if required. Witnesses are collected and oral, documentary and circumstantial evidences are charted down. The Investigation Officer furnishes his final report to the concerned authorities with a proposal of either to drop or departmental action or judicial action. The concerned authorities again validate it via Legal Wing, if consider appropriate and approval/disapproval of proposal is given.

Upon completion of the investigation if allegations are not established, the case is dropped under the orders of the competent authority, under Rule-6 Sub Rule 6 of the Punjab Anti Corruption Establishment Rules, 2014. And if after investigation, it is found that prosecution is not called for but sufficient material is available on record to establish that certain irregularities have been committed by the accused public servant calling for departmental action, under the same rule. Thus, the case is referred to the departmental authority for necessary proceedings under PEEDA Act, 2006. However, the outcome the investigation is to be submitted in the court of Special Judge, Anti Corruption, in term of section 173 Cr. P.C.

- **Arrest of the Accused**

Accused can be arrested after the registration of the case by the approval/orders of the concerned authorities. The accused will be arrested either during the investigation or after the investigation depending upon the requirements of the case scenario. If the circumstances become unavoidable during the investigation, the accused public servant can be arrested immediately. The primary requirement is the approval of the judicial action by the concerned authorities depending upon the grade of accused public servant. Whereas, in case of trap raid no such permission for sanction for prosecution is required.

- **Submission of Challan**

After the approval of judicial action, the challan either incomplete or complete is submitted to the Anti Corruption Court by the Investigation Officer. The incomplete challan can be sent to the court, if it is proved that an accused person has absconded and that there is no immediate prospect of arresting him. The absconded person is then declared as a proclaimed offender by the court. After this declaration, the incomplete challan in which such an accused person's name written in red ink is submitted to the court. The concerned Investigation Officer pursues the court hearings.

- **Submission of Challan**

If after completion of the investigation, the offence stand established through evidence/material collected during proceedings, the case is forwarded for trial to the Special Court having jurisdiction by way of filing a report (Challan) in terms of section 173 Cr.P.C

The Prosecution Branch of ACE keeps effective liaison with the Prosecutors of the Special Courts.