

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Criminal Misc.-M No.34070 of 2015 (O&M)
Date of Decision: October 16, 2015

Sundeep Kaur

....Petitioner

versus

Directorate of Enforcement, Govt., of India and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Pradeep Virk, Advocate, for the petitioner.
Ms.Ranjana Shahi, Advocate, for the respondents.

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1. *Whether Reporters of Local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral)

The petitioner has been summoned in a warrant case throughailable warrants to appear in the Court of learned Special Judge in a statutory complaint filed by the Enforcement Directorate under Section 45(1) of the Prevention of Money Laundering Act, 2002 (for short, 'the 2002 Act')

In somewhat similar circumstances where during the investigation of complaint, the Enforcement Directorate did not choose to arrest the suspect in exercise of its powers under Section 19 of the 2002 Act and the petitioner is ready and willing to face the trial with an undertaking not to cause any hamper to the ongoing proceedings, we have granted

interim direction against sending her to judicial custody vide order dated 01.10.2015 passed in CRM-M No.28452 of 2015 (Gurpreet Kaur @ Gurmeet Kaur versus Niranjana Singh, Assistant Director, Directorate of Enforcement, Government of India).

For the reasons assigned in the cited decision, we allow this petition in part in the following terms:-

- (i) the petitioner is directed to surrender in person (not through her counsel) before the Special Court, Patiala on the date fixed or prior thereto and furnish the bail bonds to the entire satisfaction of that Court, whereupon the petitioner shall be admitted to interim bail. Since the petitioner is resident of Canada, she is directed to deposit her Canadian passport as well as the Indian Identity/Passport, if any, with the learned Special Judge;
- (ii) The petitioner shall not leave the country without prior permission of the Special Court or this Court;
- (iii) the petitioner shall continue to appear before the Special Court and shall not hamper the ongoing trial;
- (iv) the petitioner shall continue to avail the concession of bail subject to the attachment/seizure of her immovable properties already identified by the Enforcement Directorate;
- (v) The learned Special Judge shall ensure that in this case also no order to release the attached properties is passed;

(vi) The petitioner shall also abide by such other conditions as may be imposed by learned Special Judge while accepting her bail bonds.

[SURYA KANT]
JUDGE

October 16, 2015
mohinder

[P.B.BAJANTHRI]
JUDGE