

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Criminal Misc.-M No.35372 of 2015 (O&M)

Date of Decision: October 16, 2015

Joginder Kaur and another

....Petitioners

versus

Niranjan Singh, Assistant Director, Directorate of Enforcement,
Govt., of India.

.....Respondent

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

Present: Mr.Gautam Dutt, Advocate, for the petitioners.

Ms.Ranjana Shahi, Advocate, for the respondent.

-. -

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)

Reply filed in Court on behalf of the respondent is taken on record.

The petitioners have been summoned in a warrant case through bailable 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 Niranjn 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 petitioners are directed to surrender 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 petitioners shall be admitted to interim bail.
- (ii) The petitioners shall not leave the country without prior permission of the Special Court or this Court;
- (iii) the petitioners shall continue to appear before the Special Court and shall not hamper the ongoing trial;
- (iv) the petitioners shall continue to avail the concession of bail subject to the attachment/seizure of their 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 petitioners shall also abide by such other conditions as may be imposed by learned Special Judge while accepting their bail bonds.

[SURYA KANT]
JUDGE

October 16, 2015

mohinder

[P.B.BAJANTHRI]
JUDGE