

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-12407-2016

Date of Decision: 10.08.2016

Bally Singh

...Petitioner

VERSUS

Niranjan Singh

....Respondent

**CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present:- Mrs. G.K.Mann, Advocate for the petitioner.

Mr.Ranjana Shahi, Advocate for the respondent.

SUDIP AHLUWALIA, J.

The petitioner in this case seeks regular bail under the provisions of Section 439 Cr.PC in complaint case No.2 of 2015 dated 21.7.2015 titled as “Niranjan Singh, Asstt. Director of Enforcement Vs. Ranjit Singh Kandola alias Raja Kandola & others” under section 45(1) read with Sections 3 & 4 of the Prevention of Money Laundering Act, 2002. It may be mentioned that the complaint was subsequently started after the original FIR No.60 dated 1.6.2012 was drawn up in Kartarpur Police Station, District Jalandhar City under the provisions of Section 21 of the NDPS Act, 1985. Furthermore, the petitioner is a US citizen. The charge-

sheet was filed by the police against him allegedly for recovery of 1 Kg. of Heroin, which has been mentioned in Item (2) though in relation to the extract of statement concerning this petitioner in the original complaint, which is on pages 48 and 49 of the Paper Book.

2. He was however granted bail in that NDPS case. It has also been mentioned that the financial investigation against him reveals that he had only a joint account with his grandfather late Kewal Singh in the Punjab National Bank, in which, there is no significant deposit. It has been noted that the petitioner and one other person, namely Udham Singh had purchased certain agricultural land for an amount of ₹ 67,60,000/-, for which, the payment was made in cash and that co-purchaser Udham Singh was a British Citizen, who had not visited India for a long time. Else where in the complaint, however, it is mentioned that the land was purchased by the petitioner's father in the name of his son for the aforesaid amount of ₹ 67,60,000/- and that co-accused Sukhwinder Singh had appeared on behalf of purchaser for execution of the sale deed, thereby implying that the petitioner himself was not personally involved in the transaction.

3. All these facts go to indicate that the culpability, if any of the present petitioner is qualitatively different from that of his parents, namely, Ranjit Singh Kandola (father) and Rajwant Kaur Virk (mother), against whom, there is substantial material regarding huge financial transactions done directly by them. These facts would also to a considerable extent tend to lend credence to the petitioner's claim that he was arrested/roped in the criminal case by the authorities as because his father, who is the main accused, could not be apprehended at the relevant time. It however, transpires that by now, the parents of the petitioner have also been

apprehended.

4. In the given circumstances and without expressing any views on merits of the allegations attributed to the petitioner, we are not inclined to detain him any further. The petitioner is, therefore, directed to be released on bail subject to such terms & conditions as might be deemed and proper by the learned trial Court including restrictions on his travel.

(Surya Kant)
Judge

(Sudip Ahluwalia)
Judge

August 10, 2016
AS

Whether speaking/reasoned : ***Yes/No***
Whether Reportable : ***Yes/No***