

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-21038-2018 (O&M)

Date of Decision:-27.11.2018

Joginder Singh and another

... Petitioners

Versus

Assistant Director, Directorate of Enforcement and another ... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Aakash Singla, Advocate,
for the petitioners.

Ms. Ranjana Shahi, Standing counsel,
for respondent No.1.

Mr. Gaurav Garg Dhuriwala, DAG, Punjab.

ARVIND SINGH SANGWAN, J.(Oral)

Prayer in this petition is for grant of anticipatory bail in complaint case bearing No.7 dated 18.01.2017 registered under Section 45 of Prevention of Money Laundering Act, 2002 District Mohali (SAS Nagar) (earlier numbered as complaint No.1 dated 17.1.2017 under Section 45(1) of the PMLA, 2002 District Patiala before the transfer of CBI Court, Punjab from District Patiala to District SAS Nagar) for offences punishable under Sections 3 and 4 of the Prevention of Money Laundering Act, 2002 arising out of ECIR/02/JLZO/2014.

The learned counsel for the petitioners submits that in pursuance to the order dated 23.05.2018, the petitioners have already put in appearance before the trial Court.

The learned counsel appearing for the petitioners submits that in pursuance to the interim order granted by this Court, the petitioners have

already appeared before the trial Court and they have been released on interim bail and subsequent thereto they are regularly appearing before the trial Court and are facing the trial and have not misused the concession of interim bail.

This fact is not disputed by the learned counsel appearing for respondent No.1.

The learned counsel for the respondent No.1 has, however, opposed the prayer on the ground that as per provisions of Section 45 of the Act, the petitioners are not entitled to bail.

After hearing the counsel for the parties and considering the fact that the petitioners are on bail for the last more than 6 months and have not misused the concession of bail at any time, the interim order dated 23.05.2018 granting the interim bail is made absolute.

However, liberty is grant to respondent No.1 to apply for cancellation of bail, in case at any subsequent stage, the petitioners/accused are found misusing the concession of bail.

The present petition stands disposed of.

27.11.2018

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(Arvind Singh Sangwan)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No