

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

CRM-M-42097-2017 (O&M)

Date of Decision:-27.11.2018

Balwinder Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vikram Chaudhri, Senior Advocate with
Ms. Isha Goyal, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, DAG, Punjab.

Ms. Ranjana Shahi, Standing counsel,
for the complainant.

ARVIND SINGH SANGWAN, J.(Oral)

Prayer in this petition is for grant of anticipatory bail in complaint case bearing No.COMA-7 of 2017 dated 17.01.2017 arising out of ECIR/02/JLZO/2014 dated 3.11.2014 registered under Sections 3/4 of Prevention of Money Laundering Act, 2002 by the Directorate of Enforcement, Zonal Office Jalandhar.

The learned senior counsel for the petitioner submits that in pursuance to the order dated 29.1.2018, the petitioner has already put in appearance before the Special Judge, PMLA, SAS Nagar (Mohali).

The learned senior counsel appearing for the petitioner submits that in pursuance to the interim order granted by this Court, the petitioner has already appeared before the trial Court and he has been released on interim bail and subsequent thereto he is regularly appearing before the trial Court

and is facing the trial and has not misused the concession of interim bail.

This fact is not disputed by the learned counsel appearing for the complainant.

The learned counsel for the complainant has, however, opposed the prayer on the ground that as per provisions of Section 45 of the Act, the petitioner is not entitled to bail.

After hearing the counsel for the parties and considering the fact that the petitioner is on bail for the last about 10 months and has not misused the concession of bail at any time, the interim order dated 29.1.2018 granting the interim bail is made absolute.

However, liberty is grant to the complainant to apply for cancellation of bail, in case at any subsequent stage, the petitioner/accused is 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