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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-226-2019 in/and
CRM No. M-12383-2018 (O/M)
Date of decision : 10.1.2019

Umesh Kumar Garg alias Arjun .... Petitioner (s)

Versus

Assistant Director, Enforcement Directorate .... Respondent (s)

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Jagmohan Bansal, Advocate, for,
Mr. Kunal Mulwani, Advocate,
for applicant-petitioner.

Mr. Lokesh Narang, Advocate,
for respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

CRM-226-2019

Duly sworn affidavit of applicant-petitioner alongwith Annexure-A is taken on record.

Application is disposed of.

Main case

Heard.

In this case, a sum of Rs. 1,56,00,000/- is alleged to have been laundered. The police case was registered and thereafter, Enforcement Directorate investigated into the matter. The money laundering was done by one Raman Garg. Rs. 45,00,000/- have been transferred to the account present petitioner Umesh Kumar Garg alias Arjun.

On the last date of hearing, petitioner was directed to join investigation again and disclose names of persons, to whom money was transferred and from whom, he had purchased knitting fabrics, for which money was transferred.

Today, it has been informed to Court that petitioner has supplied names of three persons. All said three persons are not traceable. However, one of them is stating that he is in Bombay.

Respondents have opposed bail on the ground that due to interim anticipatory bail granted to petitioner, he is not cooperating and respondents are unable to trace money trail.

On the other hand, the learned proxy counsel appearing for learned counsel for petitioner has stated that in this case, a complaint has already been filed in the Court, though in said complaint, it is stated that further investigation against present petitioner is going on and supplementary complaint will be filed. It is further stated that Raman Garg has been granted regular bail by this Court.

After going through facts and circumstances, I am of view that Raman Garg had transferred Rs. 45,00,000/- in the account of present petitioner. Respondent are to trace money trail and produce evidence before trial Court which is yet to be collected. Though, petitioner has supplied names of three persons to respondents, but documents have not been supplied.

The learned proxy counsel appearing for learned counsel for petitioner contends that said documents are with VAT authorities as these were seized by VAT authorities during search operations.

I am of view that it is a case of money laundering. Free hand is to be given to respondent to investigate the matter. As such, there is no ground to grant anticipatory bail to petitioner. Petition is thus dismissed.

(KULDIP SINGH)
JUDGE

10.1.2019
sjks

Whether speaking order	:	Yes	/	No
Whether reportable	:	Yes	/	No