

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

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**CRM-M-26421-2019 (O&M)
Date of Decision: 03.09.2019.**

Brij Lal Garg

...Petitioner.

Versus

Assistant Director, Enforcement Directorate, Ministry of Finance,
Government of India

...Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. Jagmohan Bansal, Advocate for the petitioner.

Mr. D.D. Sharma, Advocate for the respondent.

Shekher Dhawan, J.

Present petition under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case complaint bearing No.1 dated 02.07.2018, registered under Sections 3 and 4 of the Prevention of the Money Laundering Act, 2002.

It is, inter~alia contended that the case relates to the year 2013 and FIR was also registered in the same year, but the petitioner was not named as an accused therein. Even an Enforcement Case Information Report (hereinafter referred to as ECIR) was registered in the same year but therein also the name of the petitioner is not mentioned. Now, a complaint has been filed in the year 2018 and the petitioner has been summoned to

stand trial. In the FIR case, investigation is complete and challan has been

presented. In the ECIR case also, all requisite documents have been collected by the investigating agency as is evident from the fact that a complaint has been filed. Thus, custodial interrogation of the petitioner is not necessary as all relevant documents are already in the custody of the investigating agency. The petitioner is 82 years of age and is fearful of arrest in case he appears before the trial Court without any protection.

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

Learned counsel for the respondent contended that the investigation has already been completed and complaint has already been filed before learned trial Judge.

In view of the above, present petition is disposed of with direction to the petitioner to surrender before the trial Court on or before 26.09.2019 and seek regular bail. In case, such an application is filed, the trial Court shall allow the same subject to its satisfaction.

(SHEKHER DHAWAN)
JUDGE

03.09.2019

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Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No