

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

CRM No.M-64433 of 2018 (O&M)

Date of Decision: January 29, 2019

Atul Bansal

...Petitioner

VERSUS

Assistant Director, Directorate of Enforcement

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Vinod Ghai, Senior Advocate with
Mr.Sermon Rawat and Mr.H.D.S.Bains, Advocates
for the petitioner.

Ms.Sharmila Sharma, Advocate
for the respondent.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case ECIR No.04/CDZO/2015 dated 24.09.2015 under section 3 and 4 of Prevention of Money Laundering Act, 2002 {for brevity 'PMLA Act'}, registered at Directorate of Enforcement Chandigarh, resulting into a registered case No.COMA/35/2018.

Notice of motion was issued. Learned counsel for the respondent appeared and contested the petition.

I have heard learned counsel for the parties and have gone through the record.

From the record, I find that a complaint has been filed under

Section 45(1) of the PMLA Act for the commission of offence under

Section 3 punishable under Section 4 of the Act. This complaint has been filed by Assistant Director, Directorate of Enforcement against accused including present petitioner. As per the complaint, FIR No.510 dated 12.08.2015 under Sections 420, 465, 467, 471, 120-B IPC and Section 13 of the Prevention of Corruption Act, was registered at Police Station Manesar, Gurgaon and investigation of that case was transferred to Central Bureau of Investigation and the FIR was again registered by the CBI under the above-said Sections against unknown governments servants and private persons. The Directorate of Enforcement also initiated proceedings against accused persons by registering an enforcement case information report (ECIR).

As per the allegations, accused Atul Bansal was mainly involved in getting the licences over the land purchased after the date of notification under Section 4 and 5 of the Land Acquisition Act in connivance with public officials/government machinery and thereby generated proceeds of crime after selling licenses to some other developers on handsome profits. As per the allegations, M/s Aditya Buildwell Pvt. Ltd. applied for granting license in respect of 190 acres of land belonging to ABWIL and its 15 group companies. Atul Bansal and his associate companies, after obtaining licenses, have sold some of the licenses to other developers. The present petitioner and his accomplices, after getting licenses for more than ₹7 crores, spent about ₹12 crores on account of acquiring land portion measuring 45.986 acres and sold the same for a consideration of ₹188,91,80,701/-, thereby earning profit of ₹169,25,15,648/-, as the same has been earned after acquiring notified land and getting licenses in connivance with public servants.

case, nature and gravity of the offence and serious allegations against the petitioner, I do not find it a fit case where petitioner is entitled to benefit of anticipatory bail.

Therefore, finding no merit in the present petition, the same is dismissed.

January 29, 2019	(INDERJIT SINGH)
Vgulati	JUDGE
Whether speaking/reasoned	Yes
Whether reportable	No