

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-5134-2022 (O&M)
Date of decision: 11.05.2022

Veena Handa and others

... Petitioners

Vs.

Union of India and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. R.K. Handa, Advocate,
Mr. D.B. Bhargav, Advocate,
Mr. Nitin Kant Setia, Advocate
for the petitioners.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Sanjay Vashisth, Sr. Panel Counsel
for the respondent-UI.

Mr. Sumeet Goel, Sr. Advocate with
Mr. Paramvir Dhull, Advocate
for the respondent-CBI.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in Complaint No.3 dated 22.09.2021 under Sections 44 & 45 of Prevention of Money Laundering Act, 2002, as defined under Section 3 read with Section 70 and punishable under Section 4 of PMLA, 2002, arising out of ECIR No.JLZO/ECIR/03/2017.

While granting interim bail to petitioner No.1 Veena Handa and

petitioner No.3 Anita Seth, following order was passed by this Court on 08.03.2022: -

“Learned counsel for the petitioners, at the very outset, submits that petitioner No. 2 Suresh Seth stands arrested on 21.02.2022, therefore, the present petition, seeking anticipatory bail, may be rendered infructuous qua petitioner No. 2.

Ordered accordingly.

Learned counsel for the petitioners further submits that as per allegations in the complaint, main accused Vikram Seth has floated 09 companies, who is the real brother of petitioner No. 2 Suresh Seth and petitioner No. 1 Veena Handa is the married sister and petitioner No. 3 Anita Seth is the wife of petitioner No. 2 and petitioner Sunita Seth (in CRM-M-8101-2022) is the wife of Vikram Seth. It is further submitted that petitioners Veena Handa, Anita Seth and Sunita Seth are the housewives, aged about 52, 49 and 54 years, respectively and there are no direct allegations against them that they had in fact floated any company or had approached the bank for taking loan as the entire business was managed by male members of the family.

Learned counsel for the petitioners further submits that in the FIR case, registered by the CBI, though the challan has been presented, however, charges have not yet been framed, therefore, there is no determination for commission of crime by the petitioners, though a complaint has already been filed under

the PMLA Act by the Enforcement Directorate, in which the trial Court has passed summoning order against the petitioners and the petitioners are ready to appear before the trial Court as they have no such previous record of involvement in any criminal case.

*Learned counsel for the petitioners further submits that the matter is subjudice before the Hon'ble Supreme Court in **SLP (Criminal) No. 4634 of 2014** titled as **Madan Lal Chaudhary vs. Union of India** along with a number of other similar matters...”*

Learned counsel for the petitioners has placed on record copy of the order passed by the Special Judge, CBI, vide which petitioners No.1 & 3 have put in appearance before the trial Court.

This fact is not disputed by learned senior counsel for the respondents.

In view of the above, this petition is allowed and the interim bail granted to petitioners No.1 & 3 vide order dated 08.03.2022 is made absolute.

[ARVIND SINGH SANGWAN]
JUDGE

11.05.2022
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No