

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

105

CRM-M-37732-2022
Decided on: 21.09.2022

Sarwan Singh Phillaur

.....Petitioner

Versus

Directorate of Enforcement

.....Respondent

**CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA
HON'BLE MR.JUSTICE JAGMOHAN BANSAL**

Present: Mr.Vikram Chaudhri, Sr.Advocate
with Ms.Hargun Sandhu, for the petitioner.

Mr.Satya Pal Jain, Asst.Solicitor General of India
with Mr.Shobhit Phutela, Advocate, for the respondent.

G.S.SANDHAWALIA J. (ORAL) :-

Prayer in the present petition is to quash all proceedings arising out of and emanating from ECIR No.02/JLZO/2013 dated 25.03.2013 (Annexure P-1) under Section 3 read with Section 4 of the Prevention of Money Laundering Act, 2002 qua the petitioner and all other consequential proceedings arising therefrom including all penal or coercive action; including the Supplementary Prosecution Complaint No.8 of 2017 dated 12.07.2017 titled as "Directorate of Enforcement vs. Jagjit Singh Chahal & others' (Annexure P-2) whereby the petitioner has been arraigned as accused therein as well as the order dated 25.07.2017 (Annexure P-3) whereby the Trial Court has taken cognizance of the offences qua the petitioner.

On 14.09.2022, the following order was passed:

"A perusal of the paper-book would go on to show that against the charge framed on 31.08.2018, the petitioner had earlier approached this Court by filing a revision i.e. CRR-3347-2018, which was dismissed as withdrawn on 29.05.2018 with liberty to raise the pleas at the appropriate stage.

Counsel for the petitioner prays for time to get over the legal hurdle, since admittedly the said order has become final and was never challenged before the Apex Court, though writ petition under Article 32 of the Constitution of India was filed, which has now been disposed of alongwith '**Vijay Madanlal Chaudhary and others Vs. Union of India and others**' 2022 SCC Online Supreme Court 929.

List on 21.09.2022."

Ms.Sandhu has placed on record order dated 31.08.2018 whereby the Special Judge, CBI, Punjab SAS Nagar (Mohali) had dismissed the application for discharge under Sections 227 Cr.P.C. and come to the conclusion that a prima facie case has been made out of Section 3 of the Prevention of Money Laundering Act, 2002 which is punishable under Section 4 of the said Act and the case was fixed for framing of charge on 07.09.2018. The said order is not on record.

Keeping in view the above, Ms.Sandhu prays for permission to withdraw the present petition, with liberty to file a fresh one, by making the necessary amendment(s).

Ordered accordingly.

(G.S.SANDHAWALIA)
JUDGE

21.09.2022
sailesh

(JAGMOHAN BANSAL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No