

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

242

CRM-M-3855-2020
Date of Decision: August 29, 2023

Bhushan Thukral and anotherPetitioner(s)

Vs.

Directorate of Enforcement and anotherRespondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Promila Nain, Advocate for the petitioner(s).
Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Shobit Phutela, Advocate for the respondent/ED.

ANOOP CHITKARA J. (ORAL)

Present petition under section 482 Cr.P.C. has been filed for quashing of impugned notices under section 50(2) & (3) of the Prevention of Money Laundering Act, 2002.

2. Counsel for the petitioner submits that surviving petitioner had joined the inquiry and appearing as and when they are asked to do so by the ED officials.

3. On the contrary, counsel for the respondent-ED submits that official respondent has statutory power and right to arrest the petitioner if there is any material against them for arrerst and petition filed under Section 482 Cr.P.C. does not create any impediment and restriction on their statutory powers especially in the light of Section 45 of Prevention of Money Laundering Act, 2002.

4. Given above the factual position as on today, the present petition is disposed of with a direction that in case the Enforcement Directorate intends to arrest the petitioner they shall do so by serving advance notice of 07 days to the petitioner either directly or through their counsel. All interim order stands recalled. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

August 29, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No