

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

2024.PHHC:143151-DB



CWP-15070-2022 (O&M)
Date of decision: 04.11.2024

M/S SEABIRD INTERNATIONAL PRIVATE LTD.

..Petitioner

Versus

REGIONAL DIRECTOR, DIRECTORATE OF ENFORCEMENT
AND ANR

..Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Deepak Gupta, Advocate
for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India
with Mr. Shobit Phutela, Advocate
for respondent-UOI.

* * * *

SHEEL NAGU, C.J. (Oral)

CM-15337-CWP-2024

1. Allowed as prayed for.
2. Affidavit of Amanpreet Singh, Director of M/s Seabird International Pvt. Ltd. is taken on record.

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3. The present petition has been filed by a private limited company
praying for the following relief:-

“i) Issue writ of Mandamus directing the Respondents to return documents, electronic gadgets and cash seized vide two panchnamas both dated 10.10.2017 (Annexure P-1 & P-2) as same are not part of proceedings initiated vide show cause notice dated 05.04.2021 (Annexure P-3) under the Foreign Exchange Management Act, 1999.”

4. The grievance of petitioner is that ECIR registered against Pritpal and M/s Seabird International Private Limited, where the petitioner is also a co-accused, certain documents and cash belonging to the petitioner have been seized by Enforcement Directorate, which, presently are subject matter of trial in a complaint case bearing No.COMA-01-2020, dated 12.06.2020 (Annexure P-6), pending before Special Judge.

5. In view of the disputed questions of fact about the possession of relevant documents allegedly belonging to the petitioner, it would be appropriate that the petitioner approaches the trial Court before which the matter is being pending, by filing an appropriate application.

6. Accordingly, without commenting upon the merits of the case, the present petition is disposed of with the aforesaid liberty.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

November 04th, 2024
Ayub

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>