

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.39324 of 2021
Reserved on: 03.09.2024
Pronounced on: 16.09.2024

M/s. Makeway India Infra Pvt Ltd

...Petitioner

Versus

Assistant Director, Directorate of Enforcement

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vineet Jhakhar, Advocate and
Mr. Gurminder Singh Phull, Advocate
for the petitioner.

Mr. Shobit Phutela, Advocate
for the respondent-ED.

ANOOP CHITKARA, J.

Complaint No.	Dated	Court
COMA/02/2021	22.01.2021	Special Judge under PML Act, Haryana at Panchkula

1. Aggrieved by the dismissal of the application seeking supply of complete copy of complaint alongwith list of witnesses appended as Annexure A and relied upon documents as Annexure B and imposition of a cost of Rs. 50,000/— on the petitioner, the accused-petitioner mentioned in the above petition has come up before this Court under Section 482 CrPC.
2. In the order dated 27-01-2021, Ld. Special judge of the PMLA Court observed that the case had 28000 pages of documents.
3. In the order dated 23-03-2021 Id. Special judge of the PMLA Court observed that a copy of the complaint and complete relied-upon documents have been supplied to the accused, namely, Deepak Sharma, Ms Sunil Sharma, Manish Grover, Radhey Shyam and Bansi Lal, and their joint statement in this regard has also been recorded.
4. Similarly, as per the impugned order, it has been explicitly mentioned by learned the Special Judge of the PMLA Court, that vide order dated 25-08-2021, a soft copy of the complaint and complete relied-upon documents were supplied to the accused-petitioner(s) and relevant part of order reads as follows:



“In the interest of justice, the Ahlmad of this Court is directed to supply the soft copy of complaint along with statements of witnesses appended as Annexure A and relied upon documents appended as Annexure B with the complaint. Ld. Counsel Shri Gurminder Singh Phull for M/s. Makeway India Infra Pvt. Ltd and M/s. Mind is King has obtained the copy of CD containing the whole record of the present case after checking the same and in this regard he has also suffered his statement before this Court. However, after some time he came back and he refused to put his signature on the statement suffered by him and returned the said CD.”

5. Also, as per order dated 23.03.2021, a copy of complaint and relied on documents were supplied to accused-petitioners and their joint statement(s) in this regard have also been recorded. The stand of the accused about the non-supply of the documents appears to be a delaying tactic.

6. Given above, the present petition is dismissed except for the imposition of costs. The impugned order is upheld on all counts except for the imposition of costs. Thus, the petitioner shall not be required to pay the costs; if he has already paid in that case, same be refunded to him, and order qua cost part is set aside.

Petition dismissed in terms above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

16.09.2024

Sonia Puri

Whether speaking/reasoned:	Yes
Whether reportable:	NO.