

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-21386-2023 (O&M)
Date of decision:- 24.07.2024

Parteik Gupta
...Petitioner(s)

Versus

Union of India and others
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
 HON'BLE MR. JUSTICE VIKAS SURI

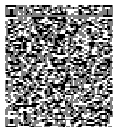
Present:- Mr. Rahul Bhargava, Advocate,
 Mr. Tanveer Singh, Advocate,
 for the petitioner.

 Mr. Lokesh Narang, Senior Panel Counsel (UOI),
 for the respondents.

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SHEEL NAGU, C.J. (ORAL)

1. The petitioner has filed this petition seeking directions to the respondent-authorities to release the specific property belonging to him which is mentioned at Serial No. 5 of the provisional attachment order dated 18.09.2018 (Annexure P-2) passed by respondent No. 2.
2. Learned counsel for the petitioner submits that the petitioner is ready and willing to offer security in the shape of Fixed Deposit for the aforesaid property which has been provisionally attached under Section 5 of the Prevention of Money Laundering Act, 2002 (in short the 'Act') and subsequently the said attachment has been confirmed under Section 8 of the Act and appeal against the said order of confirmation is pending before the Prevention of Money Laundering Appellate Tribunal since 2021.



3. Learned counsel for the petitioner does not dispute that in terms of Rule 5(5) of the Prevention of Money-laundering (Taking Possession of Attached or Frozen Properties Confirmed by the Adjudicating Authority) Rules, 2013 (in short ‘2013 Rules’) he has not made any application for the said purpose before the Authorized Officer.
4. Accordingly, this Court while declining interference on merits relegates the petitioner to avail alternate remedy with liberty to file an appropriate application in terms of Rule 5(5) of 2013 Rules before the Authorized Officer. If such an application is filed, the same shall be considered in accordance with law as expeditiously as possible, provided the petitioner satisfies all the pre-requisites under the Act and 2013 Rules.
5. The petition accordingly stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(VIKAS SURI)
JUDGE

24.07.2024
Amodh Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No