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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 3144/2024**

LOVEE NARULA

.....Petitioner

Through: Mr.Siddharth Aggarwal, Sr. Advocate
with Mr.Piyush Sanghi, Mr.Rohan
Wadhwa, Ms.Khushbu Sahu,
Mr.Nikhil Singh, Ms.Priyadarshi
Gopal, Ms.Anushka Ojha,
Ms.Shivani Bhagvaand Mr.Aushal
Rai, Advocates

versus

DIRECTORATE OF ENFORCEMENT

.....Respondent

Through: Mr.Arkaj Kumar, Retainer Counsel
for ED with Mr. Anand Kirti,
Ms.Tanya Aggarwal, Mr.Ishank Jha
and Ms.Vaishnavi Bhargava,
Advocates

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

07.10.2024

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CRL.M.(BAIL) 1672/2024 (seeking interim bail)

1. The instant petition under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 (hereinafter "BNSS") read with Section 439 of the Code of Criminal Procedure, 1973 (hereinafter "Cr.P.C.") read with Section 45 of the Prevention of Money Laundering Act, 2002 (hereinafter "PLMA") has been filed seeking the following reliefs:-

“(I) Order the release of the applicant/ accused on interim bail for a period of 30 days in ECIR/DLZO-II/03/2024, for taking.



*care of his father during his radiation and chemotherapy sessions, on such terms and conditions as deem fit; and/ or
(II) Pass any other Order which this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."*

2. Mr. Siddharth Aggarwal, learned senior counsel appearing on behalf of the petitioner submitted that the instant application has been filed seeking extension of interim bail granted on 12th September, 2024 by the Predecessor Bench of this Court in ECIR/DLZO-II/03/2024 dated 16th March, 2024 for offences punishable under Sections 3 and 4 of the PMLA on the ground that the father of the petitioner has been diagnosed with 4th stage carcinogenic brain tumour and the prognosis is verified.

3. Learned senior counsel appearing on behalf of the petitioner submitted that despite the fact that the petitioner was cited as a witness in the list of witnesses filed alongwith the chargesheet by the Investigating Agency i.e., the Special Branch, Delhi Police, the Directorate of Enforcement cited the petitioner as an accused and registered ECIR/DLZO-11/03/2024 dated 16th March, 2024 for the offences punishable under Sections 3 and 4 of the PMLA, pursuant to which, the petitioner was arrested by the Investigating Agency on 22nd May, 2024.

4. To further strengthen his arguments, learned senior counsel appearing on behalf of the petitioner has placed before this Court the medical reports of the father of the petitioner, who is suffering from 4th stage carcinogenic brain tumour.

5. It is submitted that *vide* order dated 12th September, 2024, passed by the Predecessor Bench of this Court, the petitioner was granted the interim bail for a period of four weeks. It is further submitted the petitioner moved



an application seeking regular bail before the learned Trial Court which is to be listed on 8th October, 2024 and the interim bail granted *vide* order dated 12th September, 2024 passed by the Predecessor Bench of this Court is expiring on 10th October, 2024. Thus, it is prayed that keeping in view the serious ailment of the father of the petitioner as well as the factum that no other family member is capable to take care of him, this Court may extend the interim bail granted *vide* order dated 12th September, 2024 for a further period of four weeks.

6. *Per contra*, learned Standing counsel appearing on behalf of the respondent-ED vehemently opposed the instant application submitting to the effect that the same is nothing but a gross misuse of process of law as the petitioner was granted interim bail *vide* order dated 12th September, 2024 on the same grounds, i.e., the medical grounds of his father and the petitioner was directed to surrender after the expiry of four weeks without approaching the Court for extension of bail. Therefore, it is submitted that no cogent reason is given in the instant application for extension of his interim bail.

7. It is further submitted that the petitioner is involved in the serious offences and the investigation is still going on, thus, in view of the same, he is not entitled for the extension of bail as he may influence the investigation. Therefore, the instant application, being devoid of any merit, is liable to be dismissed.

8. Heard learned counsel appearing on behalf of the parties and perused the contents of the application including the order dated 12th September, 2024 passed by the Predecessor Bench of this Court as well as the medical documents of the father of the petitioner.

9. It is an admitted fact that the father of the petitioner is suffering from



4th stage carcinogenic brain tumour and the application seeking regular bail is listed on 8th October, 2024 before the learned Trial Court. It is also observed that the interim bail granted *vide* order dated 12th September, 2024 passed by the Predecessor Bench of this Court is expiring on 10th October, 2024.

10. Keeping in view the above facts and circumstances, this Court is inclined to allow the instant application. Accordingly, the interim bail granted by the Predecessor Bench of this Court *vide* order dated 12th September, 2024 is extended for a further period of two weeks from today on the same terms and conditions and the petitioner shall surrender after expiry of the said period, subject to the outcome of the application of regular bail pending before the learned Trial Court.

11. It is made clear that all other conditions imposed upon the petitioner by the Predecessor Bench *vide* order dated 12th September, 2024 shall remain same.

12. With the aforesaid direction, the instant application stands disposed of.

13. Copy of the order be sent to the Jail Superintendent for compliance.

CHANDRA DHARI SINGH, J

OCTOBER 7, 2024

Dy/sm

Click here to check corrigendum, if any