# IN THE HIGH COURT OF JUDICATURE AT PATNA
## CRIMINAL MISCELLANEOUS No.42830 of 2025

Arising Out of PS. Case No.-4 Year-2024 Thana- E.C.I.R (GOVERNMENT OFFICIAL) District- Patna

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Devinder Singh Anand, S/o Harbhajan Singh Anand, R/o 2-B, Kundan Nagar, Mumbai Pune Road, Opp Atlas Copco, Dapodi, Pune City, Pune, Maharashtra

... ... Petitioner

Versus

1. The Union of India through the Director, Directorate of Enforcement, Pravartan Bhawan, APJ Abdul Kalam Road, New Delhi-110011
2. The Deputy Director, Directorate of Enforcement, Patna Zonal Office, First Floor, Chandpura Place, Bank Rd, West Gandhi Maidan, Patna
3. Assistant Director, Directorate of Enforcement, Patna Zonal Office, First Floor, Chandpura Place, Bank Rd, West Gandhi Maidan, Patna

... ... Opposite Parties

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**Appearance :**

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| For the Petitioner/s | : | Mr. Mrigank Mauli, Senior Advocate |
| | | Mr. Sanket, Advocate |
| | | Mr. Navin Kumar Singh, Advocate |
| For the Opposite Party/s | : | Mr. Zohaib Hossain, Special Counsel |
| | | Mr. Tuhin Shankar, Retained Counsel |
| | | Mr. Prabhat Kumar Singh, Retained Counsel |
| | | Mr. Pranjal Tripathi, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**

ORAL ORDER

5 10-12-2025 Heard Mr. Mrigank Mauli, learned senior counsel appearing for the petitioner and Mr. Zohaib Hossain, learned Special Counsel appearing on behalf of Directorate of Enforcement (in short 'E.D').

2. The petitioner seeks bail in connection with Special Trial (PMLA) Case No.10 of 2024, which arises out of ECIR No.PTZO/04/2024 dated 14.03.2024 along with

Addendum ECIR dated 20.09.2024 registered for the offences punishable under Sections 3 and 4 of the Prevention of Money Laundering Act, 2002 (in short 'PMLA').

3. The petitioner is a man of clean antecedent and remains in custody since 12.11.2024.

4. **<u>The factual background of the prosecution case with defence version</u>:-**

(i) The brief summary of the case is that the respondent/DoE has filed its First Supplementary Prosecution Complaint dated 09.01.2025 (hereinafter referred in short as "the 1" SPC"), before the Ld. District & Sessions Judge Cum Special Judge (PMLA), Patna, wherein the petitioner has been arraigned as accused No. 13. It was further alleged that the Respondent/DoE has also proceeded to arraign the firm of the petitioner, namely, M/s Anand Trading Corporation as accused No. 14.

(ii) It is further alleged that the ECIR bearing No. PTZO/04/2024 was registered by Respondent/DoE on 14.03.2024 on the basis of FIR bearing No. Rupaspur P.S. Case No. 18/2023, which was considered as predicate case to the subject ECIR by the Respondent/DoE. However, the said FIR bearing No. Rupaspur P.S. Case No. 18/2023 has already been quashed against the main accused, namely Sanjeev Hans by this Hon'ble Court vide its order dated 06.08.2024 in Criminal Writ Jurisdiction Case No. 310 of 2023. Thereafter, despite being well aware with the settled law that an ECIR cannot survive without the predicate case, the Respondent/DoE maliciously and malafidely sent the purported information under Section 66(2) of PMLA to the Special Vigilance Unit, Patna (SVU). Upon receipt of the information under Section 66(2) of PMLA, the SVU, Patna blindly proceeded to register a fresh FIR No. 05/2024 without enquiring into any alleged offence or information provided by the Respondent/DoE. It is further alleged that after registration of said FIR No. 05/2024 by SVU, Patna, the Respondent/DoE again registered an addendum ECIR dated 20.09.2024. It is most respectfully submitted that the above-mentioned conduct of the Respondent/DoE, makes it crystal clear that the entire case is a manufactured one and the petitioner has been falsely and maliciously implicated in the present case by the Respondent/DoE.

(iii) Subsequent to the registration of the ECIR and its Addendum ECIR, the Respondent/DoE conducted a botched-up investigation, and thereafter, had opted to file its Main Prosecution Complaint No. 10//2024 dated 16.12.2024 (hereinafter referred to as "said Main PC") against eight (8) accused persons namely Sanjeev Hans, Gulab Yadav, Praveen Chaudhary, Shadab Khan, Pushpraj Bajaj, M/s Prerna Smart Solutions Pvt. Ltd., M/s Genus Power Infrastructure Limited, and M/s Dhoot Infrastructure Projects Limited. It is pertinent to mention herein that the Ld. District & Sessions Judge has been pleased to take cognizance upon the said Main Prosecution Complaint.

(iv) After filing of the said Main PC, the Respondent/DoE continued with its purported investigation and accordingly filed its First Supplementary Prosecution Complaint dated 09.01.2025 against the additional accused persons/entities namely, M/s Matriswa Infra Pvt. Ltd. (Accused No. 9), Pawan Kumar (Accused No. 10), Suresh Kumar Singla @ Suresh Kumar (Accused No. 11), Varun

Singla (Accused No. 12), Devinder Singh Anand/petitioner herein (Accused No. 13), M/s Anand Trading Corporation (Accused No. 14), Vipul Bansal (Accused No. 15), M/s Mining and Engineering Corporation (Accused No. 16). It is pertinent to mention herein that the Ld. District & Sessions Judge has been pleased to take cognizance upon the said First Supplementary Prosecution Complaint.

(v) The petitioner was arrested by the Respondent/DoE on 12.11.2024, despite being well aware of the fact that he is completely innocent person and has nothing to do with the false and frivolous allegations as have been levelled against him by the Respondent/DoE. It is further alleged that while mischievously arresting the petitioner, the Respondent/DoE has acted in a most arbitrary and erroneous manner despite of complete cooperation of the petitioner during the entire investigation, who has never abdicated his duty to cooperate in the investigation. The Respondent/DoE has illegally arrested the petitioner, when the petitioner appeared before Respondent/DoE's office on 12.11.2024 in compliance of the summon issued by the Respondent/DoE. At this juncture, it is paramount to submit that such malicious practice, as employed by the Respondent/DoE in arresting the petitioner, wherein firstly, the Respondent/DoE called upon the petitioner to appear before its office for the recording of statement and compelled him to sit for long hours and, thereafter, proceeded to arrest the petitioner during the recording of his statement on the false and frivolous allegation of non-cooperation, which is against the principles of criminal law and natural justice as settled by the Hon'ble Supreme Court in various judgments.

(vi) It is further alleged that the said Supplementary Prosecution Complaint dated 09.01.2025, spanning an extensive 192 pages, contains only few purported allegations against the petitioner, which themselves are bereft of any corroborative material and credible evidence. Further, the glaring paucity of substantive allegations within such a voluminous document itself underscores the baseless and speculative nature of the Respondent/DoE's manufactured case, wherein the petitioner has been deliberately dragged as a mischievous and mala fide attempt to unjustly implicate other accused persons. In this premise, it is pertinent to note that the Respondent/DoE has manufactured the following false case:

(a) That the Respondent/DoE allegedly initiated its purported investigation by recording the said ECIR dated 14.03.2024 against Shri Sanjeev Hans (Accused No. 1) and others, on the basis of a complaint dated 20.10.2023 and the FIR No. 18/2023 registered at Rupaspur Police Station, Patna, for the alleged offences under Sections 34, 323, 342, 376, 376(d), 420, 313, 120(B), 504, 506 OF IPC, 1860, and Section 67 of IT Act, 2000 (hereinafter referred in short as "**said Rupaspur FIR**").

(b) It is submitted that the allegations stemming out from the said Rupaspur FIR revolves around Sanjeev Hans (IAS Bihar Cadre, 1997 Batch) and Gulab Yadav (EX MLA, RJD (2015-2020) and others alleging rape and sexual harassment of Complainant namely Gayatri Kumari

@ Gayatri Yadav, misuse of official position and involvement in corruption. It is pertinent to mention herein that the said Rupaspur FIR nowhere mentions the name of the Petitioner herein. It is also paramount to highlight herein that the said Rupaspur FIR has already been quashed by this Hon'ble Court qua Sanjeev Hans vide Order dated 06.08.2024 passed in Criminal Writ Jurisdiction Case No. 310 of 2023.

(c) That after quashing of the said Rupaspur FIR, the Respondent/DoE allegedly shared information under Section 66(2) of PMLA, with the SVU, Patna, for registration of FIR, upon which, the SVU Patna, without doing any independent investigation, maliciously proceeded to register the said FIR No. 05/2024 dated 14.09.2024 invoking Sections 6/318(4) of BNS, 2023 and Sections 7 r/w 12 r/w 13(1)(a) r/w 13(1)(b) r/w 13(2) of PC Act, 1988, against Shri Sanjeev Hans and 13 others including the

Petitioner. Further, it is submitted that the events and conduct of the Respondent/DoE followed in the entire case would shock the conscience of this Hon'ble Court that after malicious registration and deliberate manufacturing of the said FIR No. 05/2024 dated 14.09.2024, the Respondent/DoE illegally recorded an addendum ECIR on 20.09.2024 to save its otherwise hopeless case, which on account of quashing of its earlier predicate case does not hold any water in the eyes of law.

**Argument on behalf of petitioner:**

5. Mr. Mrigank Mauli, learned senior counsel appearing for the petitioner submitted that the entire case of the Enforcement Department against petitioner being the partner of Ms. Anand Trading Corporation (in short 'ATC') is based upon presumptions and assumptions and is not based on any objective satisfaction as distinguished from "subjective satisfaction". The case of the E.D. hinges only on one fact that the petitioner has close relationship with co-accused

Sanjeev Hans and co-accused Mr. Gulab Yadav, which rests on portraying him as a facilitator in laundering funds for Sanjeev Hans and Gulab Yadav. It is submitted that the allegations span multiple transactions, cash deposits, loans land purchase funding and reciprocal transfers amounting to Rs.7.02 crores.

6. Explaining the aforesaid amount, it is submitted by Mr. Mauli that as far cash deposits and laundering is concerned, it is alleged that this petitioner assisted in laundering and layering of Rs.4.5 crores through Account No.60385021192 of Ms. ATC. The cash deposits allegedly made by or on behalf of co-accused Gulab Yadav, which were projected as legitimate income. The allegation further is to assist in laundering of Rs. 1 crores taken as a cash loan attempting to project it as untainted.

7. It is further submitted by Mr. Mauli that Rs. 1.37 Crore was shown as loan transaction as to assist co-accused Sanjeev Hans taken as a cash loan projected as tainted money. It is pointed out that alleged role in laundering proceeds of crime by facilitating purchase of land in Pune for

a CNG station i.e. M/s Progrowth Enterprises owned by Smt. Harloveleen Kaur (wife of Sanjeev Hans). Out of 1.80 crores purchase price, Rs. 86 lakhs allegedly sourced from M/s. ATC controlled by petitioner. It is also alleged that Rs. 15 lakhs was the bribe component, which was received by petitioner in his bank of Maharashtra Account No.20157178962. It is pointed out that E.D. claims this was part of Rs. 1 crore illegal gratification received from Ms/ East and West Builders routed through Mr. Mukul Bansal, who is the brother of Vipul Bansal. It is also submitted that Rs. 9 lakhs transaction with Mrs. Harloveleen Kaur on 10.02.2020 deposited in ATC account and transferred the same day to smt. Harloveleen Kaur's account, which later moved to Mr. Kamal Kant Gupta's account. It is alleged by E.D. that this was layering of proceeds of crime.

8. It is further submitted by Mr. Mauli that E.D. cites statement of M.K. Sarathy (CFO, MNGL) and account analysis showing that Rs.4.5. lakhs was transferred from M/s Anand Tyres owned by this petitioner to Progrowth Enterprises on 06.06.2017 which was then used for MNGL

security deposit.

9. Mr. Mauli further argued that E.D. relies on financial records, statements and digital evidence in support of the allegations that the petitioner knowingly assisted in projecting tainted money as legitimate assets. Citing the evidence as relied upon by E.D., it is submitted by Mr. Mauli that same can be explained in following manners on the basis of evidence, which was relied upon by E.D., which are as under:-

(i) **Digital Evidence: WhatsApp Chats** Extracts of chats between: Sanjeev Hans → Vipul Bansal Sanjeev Hans Devinder Singh Anand, Recorded under **panchanama dated 14.08.2024 and 16.08.2024 (RUD No.18, pg 294)**, relied upon in Prosecution Complaint No. 10/2024 (filed on 16.12.2024). ED claims these chats corroborate close association and coordination in financial activities.

(ii) **Banking Transactions**:-The Enforcement Directorate has relied upon several banking transactions to allege money laundering by the petitioner, including cash deposits and transfers of about 24.5 crores through account no. 603805021192 of M/s Anand Trading Corporation linked to Gulab Yadav, a 21 crore cash loan projected as legitimate income, and ₹1.37 crores allegedly layered for Sanjeev Hans. Further, 286 lakhs from ATC is claimed to have been used in the purchase of land in Pune for a CNG station of M/s Progrowth Enterprises, while ₹15 lakhs credited to the petitioner's Bank of Maharashtra account is alleged to be part of a bribe routed via Mukul Bansal. Additionally, a 29 lakh cash deposit on 10.02.2020 was transferred to Smt. Harloveleen Kaur and later layered to Kamal Kant Gupta, and a 24.5 lakh transfer on 06.06.2017 from M/s Anand Tyres to M/s Progrowth Enterprises is alleged to have been used for an MNGL security deposit.

(iii) **Statements Recorded Under**

**PMLA**:- The Enforcement Directorate relies on multiple statements to implicate the petitioner, including his own statement recorded under Section 50 PMLA on 23.11.2024(RUD No. 37, pg.296), wherein he is alleged to have admitted receiving cash from Smt. Harloveleen Kaur and transferring an equivalent amount through banking channels. Supporting statements include those of Vipul Bansal (Sec 17- RUD No. 59, pg.296/ Sec-50 (RUD No. 36, pg.296) and Sanjeev Hans (IAS) (Sec 17- RUD No. 55, pg.296/Sec-50 (RUD No. 30. pg.294), both recorded under Sections 17 and 50 PMLA and cited in Prosecution Complaint No. 10/2024, as well as the testimony of Datta Dilip Awsarmal. Manager at M/s Progrowth Enterprises, Pune. Additionally, the statement of M.K. Sarathy, CFO of MNGL, recorded on 20.02.2025, confirmed receipt of a security deposit from Progrowth Enterprises, allegedly linked to funds originating from the petitioner's firm.

(iv) **Documentary Evidence:** Prosecution Complaint No. 10/2024 (filed on 16.12.2024) Contains relied upon documents including chats, bank records, and statements. Supplementary Prosecution Complaint No. 01/2025 (filed on 09.01.2025) Filed before Special PMLA Court, Patna, extending allegations against petitioner.

10. Dealing with aforesaid allegation, it is submitted by Mr. Mauli that the petitioner has been engaged for decades in the tyre sales and service industry through his firm, i.e. Anand Trading Corporation (ATC). This sector is inherently cash-intensive given the predominance of walk-in customers, small-scale repairs, and fleet operators, who often settle payments in cash for logistical convenience. The firm recorded an aggregate turnover of approximately 2225 crores between 2009 and 2018 duly corroborated by income tax returns, audited balance sheets, and chartered accountant certifications. Cash deposits into ATC's accounts

were consistent with the scale of operations and industry norms and cannot be construed as suspicious or unlawful. It is submitted that the Enforcement Directorate's attempt to characterize routine business receipts as "proceeds of crime" ignoring the commercial realities of the tyre trade and the transparent documentation of these transactions in the petitioner's books of accounts.

11. It is further argued by Mr. Mauli that as per allegation of laundering of Rs. 4.5 crores and cash loan transactions are concerned, are being denied in toto by petitioner. Explaining the same, it is submitted that deposits and transfers referred to were part of legitimate business dealings with transport operators, particularly, Shri Gulab Yadav, with whom the petitioner has had a long standing professional relationship since the 1990s. The transactions were duly recorded, commercially justified, and consistent with industry practice. It is pointed out that no evidence has been placed on record to demonstrate that the petitioner acted with "criminal intent or knowingly projected" "tainted money" as legitimate income and, thus, the allegations are

speculative and unsupported by substantive proof/materials.

12. In this context, it is submitted that no trail of money much less unbroken trail of money, which is requirement in terms of law for E.D. was surfaced during investigation against petitioner. In support of his submission, Mr. Mauli relied upon legal report of Hon'ble Supreme Court as available through **Sanjay Jain Vs. ED [2024 SCC Online Del. 1656].**

13. Mr. Mauli submitted that the arrest and implication of petitioner with present case is a gross abuse of power and is in violation of the cannons of law propounded by Hon'ble Supreme Court through **Vijay Madanlal Choudhary vs. E.D. [2023 (12) SCC 1]**, wherein the Hon'ble Supreme Court has laid down that the allegation has to be supported by "tangible and credible evidence". Attention was drawn towards para-153 of the aforesaid judgment. It is pointed out that in **Arvind Kejariwal vs. E.D. [2025(2) SCC 248]**, particularly in para 32, it has been held that "reason to believe" under Section 19 has to be based on objective consideration. While subjective

consideration for reason to believe ought to be founded on ‘material’ in the form of documents and oral statements.

14. Arguing for alleged funding of Pune land purchase, it is submitted by Mr. Mauli that Rs. 86 lakhs sourced from M/s ATC was used to facilitate the purchase of land in Pune for a CNG station operated by M/s Progrowth Enterprises, owned by Smt. Harloveleen Kaur is completely baseless and unfounded as petitioner clarifies that amount was a bona fide business loan extended to Smt. Ambika Yadav, wife of Shri Gulab Yadav, with whom he shares a cordial business relationship dating back to 1990s. The loan was extended with expectation of fair commercial returns and was duly recorded in the petitioner’s accounts and, therefore, there was no intent to conceal, layer or project tainted money as legitimate by this petitioner. All the alleged transactions was lawful, transparent and consistent with standard business practices.

15. Explaining further *qua* alleged receipt of Rs. 15 lakhs as part of bribe, it is submitted by Mr. Mauli that the aforesaid sum was an unsecured loan extended by Shri Mukul

Bansal to meet urgent business exigencies. The transaction was transparent, commercially justified and reflected in the petitioner’s accounts and same was not in the knowledge of petitioner *qua* any underlying illegality or connection to any alleged bribe. Therefore, the allegation is speculative and unsupported by credible evidence.

16. Justifying the transfer of Rs. 9 lakhs to Smt. Harloveleen Kaur, wife of main co-accused Sanjeev Hans, it is submitted that the aforesaid transfer was a gesture of reciprocal assistance extended during a time of need. During the course of his business exigencies, the petitioner has received assistance and in a similar spirit, he subsequently extended help to Smt. Kaur. The transaction was transparent, documented and devoid of any criminal intent.

17. It is pointed out that the aforesaid exculpatory statement and documentary evidence have been ignored by the E.D., which is contrary to the law laid down by Hon’ble Supreme Court in **Arvind Kejriwal’s case** (supra).

18. Explaining further, the transfer of Rs. 4.5 lakhs to M/s Progrowth Enterprises, it is submitted that it was used

for MNGL as a security deposit and petitioner clarified it that same was a *bona fide* business loan extended upon request.

19. It is further submitted by Mr. Mauli that the trial in PMLA case cannot be concluded till the Predicate Offence is decided. The first predicate offence has to be decided and then only PMLA case can proceed. In the present case, the SVU FIR No.5 of 2025 (predicate case) the investigation is still going on and no chargesheet has been filed till date, which mean that there is no likelihood of trial in the present PMLA case. In the case of **Arun Muthu vs. ED [2025 SCC Online Del 984]**, it has been held that if trial is not likely to be completed in reasonable time power of granting bail could be exercised on ground of violation of Part-III of the Constitution.

20. Mr. Mauli also referred the legal report of **Rahil Hiteshbhai Chovatia [Crl.M.C. 5481/2022]** of the Delhi High Court, where it has been categorically held that bail cannot be denied merely on the assumption that the property recovered from the petitioner must be proceeds of crime within the meaning of Section 2 of the PMLA.

21. Arguing further, Mr. Mauli relied upon the legal report of Hon'ble Supreme Court as available through **V. Senthil Balaji vs. E.D. [2024 SCC Online SC 2626]**, where it has been held that in case of delay in the trial due to delay in trial of predicate offence, long period of incarceration, large number witnesses and voluminous documents leading to no possibility of trial being concluded in near future are grounds for grant of bail as same is in violation of fundamental right of petitioner as available under Article 21 of the Constitution of India.

22. In this context, it is further submitted that in present case, the total of **79 witnesses** are to be examined and there are about **26,000 pages** of documents, which makes it almost impossible for prosecution to conclude the trial in near future, where about **35 accused persons** are to be examined and cross-examined the witnesses.

23. Mr. Mauli further relied upon the legal report of Hon'ble Supreme Court as available through **P. Chidambram vs. E.D. [2020 (13) SCC 791]**, wherein Hon'ble Supreme Court has held that in case of satisfaction

of triple test i.e. if there is no flight risk, if there is no influencing of witnesses and if tampering with the evidences is not available against petitioner, bail can be granted, if the petitioner has deep roots in the society and has well established business and firms.

24. It is pointed out that in this matter, chargesheet has already filed. The documents is with E.D. itself and most of witnesses are either from the department or from the banks and, therefore, there are no chances of tampering of evidence or influencing any witnesses and, therefore, the petitioner deserves to be released on bail satisfying the triple test, as submitted aforesaid. Beside this, it is pointed out by Mr. Mauli that several similarly situated co-accused persons have been granted bail by this Court and also the main co-accused against which the D.A. case was registered i.e. Sanjeev Hans has already granted bail by learned co-ordinate Bench of this Court through Cr. Misc. No.22880 of 2025 dated 16.10.2025.

**Argument on behalf of E.D.**

25. Mr. Zohaib Hossain, learned Special counsel

appearing for the ED submitted that the petitioner was a close associate of main co-accused Sanjeev Hans and Gulab Yadav, facilitated illegal financial transactions for both of them and concealed the proceeds of crime as during course of investigation certain financial transactions were traced between his and his business entities' bank accounts with other accused persons, including Gulab Yadav, Praveen Chaudhary and Mukul Bansal (brother of Vipul Bansal). These coordinated financial activities along with WhatsApp chats and statements corroborate the close relationship of petitioner with Sanjeev Hans and Gulab Yadav.

26. It is further submitted that the petitioner assisted co-accused Sanjeev Hans in laundering, layering and concealing proceeds of crime amounting to Rs. 4.5 crores through account number 603805021192 of Anand Trading by receiving cash deposits made by or on behalf Gulab Yadav and subsequently projecting the same as untainted during the period 2012 to 2020. It is further submitted that petitioner further assisted Gulab Yadav in laundering, layering, and concealing Rs. 1 crore taken as a cash loan attempting to

project the same as legitimate. It is pointed out that petitioner assisted Sanjeev Hans in laundering, layering and concealing proceeds of crime of Rs. 1.37 crores taken as a cash loan, attempting to project the tainted money as legitimate.

27. Arguing further, Mr. Hossain submitted that the petitioner has played a key role in laundering the proceeds of crime by facilitating the purchase of land in Pune for a CNG station operated by M/s, Progrowth Enterprises, which was owned by Smt. Harloveleen Kaur, wife of Sanjeev Hans. The land purchased for Rs. 1.80 crores was bought in the name of Ambika Yadav with Rs. 86 lakhs sourced from the bank account of M/s Anand Trading Corporation, controlled by him. It is further pointed out that petitioner has received part of a bribe amounting to Rs. 15 lakhs from Vipul Bansal, one of the associates of Sanjeev Hans. It was revealed that out of Rs. 1 crore (illegal gratification received from M/s East and West Builders), a bribe of Rs. 15 lakhs was paid to Shri Sanjeev Hans in the bank account no. 20157178962 of petitioner maintained with Bank of

Maharashtra by Vipul Bansal through the account of his brother, Mukul Bansal.

28. Mr. Hossain further submitted that Smt. Harloveleen Kaur, wife of Shri Sanjeev Hans (Accused No. 01) is the proprietor of M/s Progrowth Enterprises, incorporated in the year 2017. She operates a CNG pump station under the name M/s Progrowth Enterprises in Dapodi, Pune, along the Mumbai-Pune Highway. The business commenced operations in June 2017. It is further submitted that investigation has revealed financial transactions between Smt. Harloveleen Kaur and petitioner. A cash deposit of Rs. 9 lakhs was made into account number 603805021192 of Anand Trading Corporation, owned by petitioner. On the same day, i.e., 10.02.2020, this amount was transferred to account number 322002010312088 of Smt. Harloveleen Kaur, which was subsequently transferred to the bank account of Kamal Kant Gupta (No. 351000236668) on 02.11.2020.

29. Arguing further, Mr. Hossain submitted that in his statement dated 23.11.2024 recorded under Section 50

of the PMLA, 2002, the petitioner has admitted to receiving cash from Smt. Harloveleen Kaur and transferring an equivalent amount through banking channels. This arrangement facilitated Sanjeev Hans in layering and concealing the proceeds of crime and thereby projecting the funds as untainted. It is further submitted that the statement of Shri M.K. Sarathy, Chief Financial Officer of MNGL was recorded on 20.02.2025 under Section 50 of the PMLA, 2002. He was questioned regarding the security deposit placed by Smt. Harloveleen Kaur, proprietor of M/s Progrowth Enterprises. He stated that M/s Progrowth initially submitted a demand draft of Rs. 5 lakhs, which was dishonored and the amount was subsequently transferred through RTGS as a security deposit for the equipment installed by MNGL.

30. Mr. Hossain further submitted that upon reviewing the account statements furnished by Shri M.K. Sarathy, it was revealed that Rs. 5,00,078/- was transferred on 19.06.2017 from the Union Bank account of M/s Progrowth Enterprises (A/c No. 322001010036059). Further

analysis of this account revealed that prior to transferring the security deposit to MNGL, a sum of Rs. 4.50 lakhs was received from M/s Anand Tyres on 06.06.2017. M/s Anand Tyres is an entity owned by the petitioner.

31. Arguing further, it is submitted by Mr. Hossain that in light of the above, it is established that petitioner has been involved in criminal activities related to the offence of money laundering and assisted Sanjeev Hans and Gulab Yadav in layering, laundering, and concealing proceeds of crime amounting to approximately Rs. 7.02 crores (Rs. 5.5 crores for Gulab Yadav and Rs. 1.52 crores for Sanjeev Hans) during the period 2012 to 2021 projecting the same as untainted. Therefore, the petitioner is knowingly and directly involved in processes and activities connected with the offence of money laundering, including generation, layering, laundering, concealment of proceeds of crime and projection of the same as untainted. This is evident from the following:

> (a) Extracts of whatsapp chats between Sanjeev Hans- Vipul Bansal, Sanjeev Hans-Devinder Singh Anand vide panchanama dated 14.08.2024 and 16.08.2024 already made relied upon documents in prosecution complaint no.

10/2024 filed on 16.12.2024.

(b) Banking transactions in the account no. 603805021192 of M/s Anand Trading Corporation with Gulab Yadav and Related entities already made relied upon in Prosecution Complaint no. 10/2024 filed on 16.12.2024.

(c) Statement of Datta Dilip Awsarmal S/o Sh. Dili Awsarmal, Manager at M/s Progrowth Enterprises at Pune already made relied upon documents in Prosecution Complaint no. 10/2024 filed on 16.12.2024.

(d) Banking transaction of Rs.15 Lakhs from Mukul Bansal (brother of Vipul Bansal) in the account no 20157178962 of petitioner already made relied upon documents in Prosecution Complaint no. 10/2024 filed on 16.12.2024.

(e) Statement of Sh. Vipul Bansal recorded under Sections 17 and 50 of PMLA. 2002 already made relied upon documents in Prosecution Complaint No. 10/2024 filed on 16.12.2024.

(f) Statement of petitioner recorded under Sections 17 and 50 of PMLA. 2002 already made relied upon documents in Prosecution Complaint filed on 16.12.2024.

(g) Statement of Sh. Sanjeev Hans recorded under Sections 17 and 50 of PMLA. 2002 already made relied upon documents in Prosecution Complaint No.10/2024 dated 16.12.2024.

32. Mr. Hussain relied upon the legal report of ***Arvind Dham*** as passed by Hon'ble High Court of Delhi at New Delhi in **Bail Application 544/2025 and Crlm. (Bail) No. 262/2025 dated 19.08.2025**, particularly on **para-17, 49, 50, 54 and 57.**

33. Mr. Hossain further referred his argument as he advanced in Bail Application No. 4825/2024 before Delhi High Court in the matter of **Anil Kumar Aggarwal Vs. Directorate of Enforcement,** raising all issues *qua* custody period and delayed trial, he referred **paras-19 and 20** of the aforesaid order.

34. Considering the aforesaid factual aspects and by taking note of materials available on record, this Court is not in position to say that the twin conditions as available under Section 45 of PML Act, 2002 which must to be satisfied prior to granting bail to the accused/petitioner appears satisfied in present case, as allegation appears founded *prima facie* not only on the basis of statement recorded under Section 50 of PMLA Act, rather same also appears supported *prima facie* by whatsapp chats, bank transactions, call log

details etc.

**But**,

As petitioner remains in custody since 12.11.2024 i.e. more than one year, where **79 prosecution witnesses** who would be examined orally and **148 documents running into 26000 pages**, which the prosecution seeks to rely upon and further a total number of **35 accused persons** to cross-examine the witnesses, where presently prosecution is at pre-cognizance stage, which suggest primarily that the trial of this case is not likely to conclude in near future, which amounts to violation of fundamental right of petitioner *qua* speedy trial as available under Article 21 of the Constitution of India, coupled with the fact that main co-accused, namely, Sanjeev Hans has already granted bail by a learned co-ordinate Bench of this Court through Cr. Misc. No. 22880 of 2025 dated 16.10.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (PMLA), Patna in connection with Special

Trial (PMLA) Case No. 10 of 2024 arising out of Supplementary Prosecution Complaint dated 09.01.2025 in ECIR No. PTZO/04/2024 and Addendum ECIR dated 20.09.2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”), with further conditions that:-

(i) The petitioner shall not made any deliberate attempt to delay the trial and, if any, such attempt be made on his part, the department of enforcement shall be at liberty to press for cancellation of bail bond of the petitioner before the learned trial court itself, which shall be decided by the learned trial court itself, after giving an opportunity of hearing to the petitioner.

(ii) Considering the nature of accusation and its social and economical impact, the learned trial court is directed to conclude the trial expeditiously in accordance with law.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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