



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-18843-2024 (O&M)

Date of decision : 28.01.2025

Gurinder Singh

.....Petitioner

Versus

Union of India and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL

Present: Mr. Harshit Sethi, Advocate, and
Mr. Rahil Mahajan, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India, with
Ms. Meghna Malik, Central Govt. Counsel,
for the respondents.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. The petitioner has filed this petition seeking direction to the respondent – authorities to substitute properties mentioned at Serial Nos. 1, 2, 4, 5, 6, 7, 8, 16 and 21 of the provisional attachment order dated 04.05.2023 (Annexure P-10) 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 properties which have 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 2023.

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’), the petitioner has not made any application for the said purpose before the Authorized Officer.

4. Accordingly, this Court, without expressing any opinion 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 Authorized Officer is expected to decide the same 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

(SUMEET GOEL)
JUDGE

January 28, 2025
narotam

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