



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CWP-38282-2025**

Raja Singh Kapoor

... Petitioner

Versus

Union of India & another

... Respondents

Reserved on : 22nd December, 2025

Pronounced on : 12th January, 2026

Uploaded on : 12th January, 2026

*Whether only operative part of the judgment is
pronounced or the full judgment is pronounced: full judgment.*

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY**

Present: Mr. Damanbir Singh Sobti and Mr. Sultan Singh,
Advocates for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India with
Ms. Meghna Malik, Sr. Panel Counsel for respondent-ED/UOI.

SHEEL NAGU, CHIEF JUSTICE

1. Challenge in this petition under Article 226 read with Article 227 of the Constitution of India is primarily to the summons issued to the petitioner under Section 50 of the Prevention of Money Laundering Act, 2002 (for brevity, 'PMLA').

1.1 The principal ground raised in serving the aforesaid notice is that the petitioner apprehends that in the garb of summoning the petitioner to give evidence, the petitioner may be deprived of the constitutional protection under Article 20(3) of the Constitution, which extends constitutional immunity to an accused in an offence to be compelled to be a witness against himself.

2. For ready reference and convenience, Article 20(3) of the Constitution is reproduced below:

“20. *Protection in respect of conviction for offences.* –

- (1) XXXX XXXX XXXX
- (2) XXXX XXXX XXXX
- (3) *No person accused of any offence shall be compelled to be a witness against himself.*”

3. There is no denial that the immunity granted by any such constitutional protection prevails upon any statutory provision including PMLA.

4. Though the efficacy of the impugned summon directing the petitioner to appear on certain date has become infructuous due to efflux of time but this Court has no hesitation in disposing of this petition with direction that as and when the petitioner is called upon by another notice under Section 50 of the PMLA to give evidence or produce documents, and in case the petitioner is arrayed as an accused in any offence, then the constitutional protection under Article 20(3) of the Constitution would be available to him.

5. With the aforesaid observations, the petition stands disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

(SANJIV BERRY)
JUDGE

January 12, 2026
rps

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