



2026:CGHC:10603

AFR**HIGH COURT OF CHHATTISGARH AT BILASPUR**

ORDER RESERVED ON 24.02.2026

ORDER DELIVERED ON 28.02.2026

ORDER UPLOADED ON 28.02.2026

MCRC No. 1653 of 2026

1 - Saumya Chaurasia D/o Lt. Shri O.N. Chaurasia Aged About 46 Years R/o A/21, Surya Residency Junwani Road Kohka Bhilai Durg Chhattisgarh, (Currently Under Judicial Custody At Central Jail Raipur (C.G.))

... Applicant(s)**versus**

1 - Directorate Of Enforcement, Raipur Zonal Office, Through Its Assistant Director Mr. Sunil Kumar Singh 2nd Floor, Subhash Stadium Moti, Bagh, Raipur, Chhattisgarh 492001.

... Respondent(s)

For Applicant(s)	:	Shri Siddhartha Dave, Sr. Advocate assisted by Shri Harshwardhan Parganiha, Shri Mayank Jain, Shri Anshul Rai, Shri Madhur Jain, Shri Harshit Sharma, Shri Arpit Goel and Ms. Alekhya Shastry, Advocates through VC and Ms. Manubha Shankar, Advocate.
For Respondent/ED	:	Mr. Zohaib Hossain, Advocate through VC assisted by Dr. Saurabh Kumar Pande, Special Public Prosecutor



(Hon'ble Shri Justice Arvind Kumar Verma)

C A V Order

The present matter arises out of ECIR No. ECIR/RPZO/04/2024 dated 11.04.2024 registered by the Directorate of Enforcement, Raipur Zonal Office under Sections 3 and 4 of the Prevention of Money Laundering Act, 2002 (PMLA) on the basis of a predicate offence registered by EOW/ACB, Raipur.

BRIEF FACTS

2. The prosecution case pertains to an alleged large-scale liquor procurement and distribution scam in the State of Chhattisgarh during the period 2019 to 2023, resulting in alleged generation of proceeds of crime amounting to approximately Rs. 2883 crores, out of which about Rs. 2161 crores is alleged to be illegal earnings. The prosecution alleges existence of a criminal syndicate comprising senior bureaucrats, political functionaries, intermediaries and private persons, which manipulated the excise policy and liquor procurement system to generate illegal commissions and unaccounted income.

3. The predicate offence was registered by EOW/ACB Raipur vide FIR No. 04/2024 dated 17.01.2024 under Sections 420, 467, 468, 471 and 120-B IPC and Sections 7 and 12 Prevention of Corruption Act, 1988. The FIR alleges that certain public servants and private persons conspired to collect illegal commissions from distillers, Supply



unaccounted liquor, Manipulate excise policy and Cause loss to State exchequer. The alleged loss to the Government is stated to be approximately Rs. 2161 Crores and the aforesaid offences under IPC and Prevention of Corruption Act constitute scheduled offences under the PMLA. Accordingly, Enforcement Directorate registered ECIR No. ECIR/RPZO/04/2024 dated 11.04.2024 and initiated investigation under PMLA. Investigation revealed alleged laundering of proceeds of crime generated through illegal liquor operations.

4. It is the allegation that the State Excise Policy was amended in the year 2017, and the Chhattisgarh State Marketing Corporation Limited (CSMCL) was established and the CSMCL was entrusted with exclusive responsibility of Retail sale of liquor, Procurement from manufacturers and supply through Government shops. The stated objectives of the policy included Supply of genuine liquor, Prevention of illegal liquor, Securing State revenue and price regulation. The Liquor sold in the State was divided into two categories:

- Country Liquor (CL)
- Indian Made Foreign Liquor (IMFL)

Country liquor was supplied through three distilleries:

- Chhattisgarh Distilleries Ltd.
- Bhatia Wines & Merchants Pvt Ltd.
- Welcome Distilleries Pvt Ltd.

5. The prosecution alleges that a criminal syndicate led by influential persons subverted the excise policy and procurement mechanism. It is alleged that senior officials and intermediaries manipulated the liquor



policy, Controlled procurement, Collected illegal commissions and distributed proceeds among conspirators. The prosecution has further alleged that the syndicate exercised control through Placement of favourable officers, Award of contracts to associates, policy manipulation and Creation of parallel systems. There was modus operandi of Alleged Offences:

PART-A

Illegal Commission on Accounted Liquor- The Illegal commission was allegedly collected from distillers on supply of country liquor to CSMCL. Meetings were allegedly conducted with distillers in March 2019 where commission of Rs. 75 per case was fixed. It is alleged that the procurement prices were increased and the distillers paid commission which was shared among conspirators. The commission was allegedly collected regularly through intermediaries.

PART-B

A parallel system of liquor supply was allegedly created and it is alleged that unaccounted liquor was produced off-record, duplicate holograms were used, duplicate bottles were procured and Liquor was sold through Government shops. The entire sales were allegedly Cash based, Off books and without tax payment. The illegal liquor was transported directly from distilleries to shops bypassing State warehouses.

It is alleged that the excise officials allegedly facilitated the operation and this activity allegedly continued between 2019 to 2022.

PART-C

The Annual commission was allegedly collected from distillers for



permitting them to operate in the State.

PART-D

A new mechanism was allegedly introduced in April 2020 by introduction of FL-10A licenses. And three firms allegedly close to syndicate members were granted FL-10A licenses. The license holders allegedly acted as intermediaries, procured foreign liquor, sold to Government warehouses and earned commission. Approximately 10% profit margin was allegedly earned and out of the profit, 60% allegedly went to syndicate and 40% retained by license holders.

6. The contracts were allegedly awarded to associates of syndicate members including manpower supply agencies, cash collection agencies and hologram suppliers. The duplicate holograms were allegedly supplied for sale of illegal liquor and the cash collection agencies allegedly collected illegal commission. EOW Raipur has filed charge sheet dated 29.06.2024 before Special Court. Supplementary charge sheets were filed on 26.09.2024, 17.11.2024, 27.06.2025, 30.06.2025, 24.08.2025 and 24.11.2025.

7. The charge sheets allege Criminal conspiracy, Forgery, Corruption, Cheating and abuse of official position. As per investigation, proceeds of crime quantified by EOW are approximately Rs. 2883,19,99,622/- in which breakup includes Part-A Commission, Part-B Illegal liquor sales, Part-C Annual commission and FL-10A profits and the breakup includes Part-A Commission, Part-B Illegal liquor sales, Part-C Annual commission and FL-10 A profits.



8. The main Prosecution Complaint is dated 19.06.2024 and the supplementary complaints dated 30.08.2024, 05.10.2024, 12.03.2025, 15.09.2025 and 26.12.2025. These complaints contain allegations of laundering of proceeds of crime. The prosecution has alleged the systematic corruption within Excise Department. It is alleged that policy decisions were influenced to maximize illegal gain. The entire system is alleged to have been controlled by a syndicate consisting of Politicians, Bureaucrats and Private persons.

9. Investigation is based on the statements recorded under Section 50 PMLA, documentary evidence, financial records, Procurement records and Digital data and Excel sheets. The investigation is based on the statements recorded under Section 50 PMLA, Documentary evidence, Financial records, Procurement records and Digital data Excel sheets. The evidence allegedly shows systematic collection of illegal commissions. The prosecution alleges that the syndicate manipulated liquor policy, generated illegal proceeds and laundered proceeds of crime. The alleged proceeds of crime are approximately Rs. 2883 crores and the investigation is continuing.

ROLE OF THE APPLICANT/ALLEGATIONS AGAINST THE APPLICANT

10. According to the prosecution, digital evidence and recovered electronic communications of **Anil Tuteja** demonstrate that the applicant was actively involved in monitoring the financial accounts ("*hisab*") of the syndicate. It is alleged that the applicant regularly coordinated with senior bureaucrats and syndicate members for:



- Settlement of accounts
- Reconciliation of illegal collections
- Transfer of proceeds of crime
- Upward flow of illicit revenue.

The Recovered WhatsApp communications allegedly show that the applicant instructed **Anil Tuteja** to send **Arun Pati Tripathi** to meet **Chaitanya Baghel ("Bittu")** regarding settlement of accounts of the syndicate, thereby indicating that the financial transactions were periodically reviewed and supervised at her level. The prosecution asserts that the financial accounts of the syndicate were regularly reported to senior political authorities and disputes relating to the accounts were resolved at that level under the supervision of the applicant.

11. The investigation further alleges that the applicant played a significant role in facilitating appointments of key officers in the Excise Department and related institutions. WhatsApp communications dated 07.05.2019 allegedly show that the applicant forwarded draft note-sheets regarding **appointments in the Excise Department to Anil Tuteja** even prior to formal approval. It is alleged that the names of **Niranjan Das and Arun Pati Tripathi** had already been finalized by the syndicate for appointment as Excise Commissioner and Managing Director of CSMCL.

12. The prosecution case is that after approval of the note-sheet by the competent authority, the applicant forwarded the signed note-sheet to **Anil Tuteja**, who further transmitted the same to other members of



the syndicate. According to the prosecution, this demonstrates the applicant's active role in ensuring the placement of compliant officers to facilitate smooth operation of the illegal liquor scheme. The prosecution has alleged that the applicant was actively coordinating with Chaitanya Baghel for settlement of accounts and transfer of proceeds of crime.

13. It is alleged that the applicant supervised reconciliation of accounts and ensured proper distribution of illegal proceeds among beneficiaries. The investigation asserts that the applicant functioned as a senior political coordinator responsible for movement and management of illicit funds. The Supreme Court in ***Siddharth v. State of UP (2022) 1 SCC 676*** held that Custodial arrest is not necessary once investigation is complete. Continued detention is therefore unjustified.

14. The prosecution relies upon the statement of **K.K. Shrivastava dated 23.06.2025**, wherein it is alleged that he received approximately Rs. 72 Crores in cash from **Laxminarayan Bansal** under the instructions of the applicant and handed over the same to *hawala* operators at Raipur. It is further alleged that the drivers employed under him confirmed transportation of cash consignments strictly as per instructions communicated on behalf of the applicant. The prosecution also relied upon the statement of **Nikhil Chandrakar** dated 02.12.2025, wherein he allegedly stated that he received approximately Rs. 5 Crores in cash from **Laxminarayan Bansal** under instructions of the applicant. He had collected funds from **Dipen Chawda** on behalf of the applicant.



15. The prosecution further relies upon diary entries allegedly recovered from Suryakant Tiwari, wherein receipts attributed to the applicant from Anwar Dhebar have been recorded. On the basis of these diary entries, the prosecution alleges that the applicant received approximately Rs. 43.50 Crores from proceeds of the liquor scam. The prosecution alleges that the applicant has handled, assisted, acquired and possessed proceeds of crime to the extent of approximately Rs. 115.5 Crores.

16. It is further alleged that the applicant invested such proceeds in acquisition of properties in her own name and in the names of family members. The prosecution alleges that the applicant knowingly assisted in the movement of illicit funds, Cash handling, *Hawala* transactions and layering of proceeds of crime. According to the prosecution, the applicant directed intermediaries handling cash collections and supervised *hawala* transactions for layering and integration of proceeds of crime. It is alleged that the applicant ensured delivery of illegal proceeds to political beneficiaries. The prosecution has alleged that the applicant knowingly assisted in generation of proceeds of crime, possessed proceeds of crime, concealed proceeds of crime and projected proceeds of crime as untainted property. On the basis of the aforesaid allegations, the prosecution asserts that the applicant has knowingly participated in activities connected with proceeds of crime and is therefore liable for offence under Section 3 punishable under Section 4 of the PMLA.

17. It is alleged that the applicant acquired proceeds of crime,



possessed proceeds of crime, concealed proceeds of crime and used proceeds of crime projecting proceeds of crime as untainted. The prosecution contends that the material on record including statements recorded under Section 50 PMLA, Digital evidence, WhatsApp communications, diary entries and financial records establishes a *prima facie* case of money laundering against the applicant. It is therefore alleged that there exist reasonable grounds for believing that the applicant is guilty of the offence of money laundering within the meaning of Section 45 of the PMLA.

I. INTRODUCTORY SUBMISSIONS ON BEHALF OF THE APPLICANT

18. The present applicant seeks grant of regular bail in connection with ECIR No. ECIR/RPZO/04/2024 registered by the Directorate of Enforcement under Sections 3 and 4 of the Prevention of Money Laundering Act, 2002. The Applicant was arrested on 16.12.2025, after prolonged investigation extending over nearly two years and after filing of multiple prosecution complaints. The Applicant has cooperated throughout the investigation and has never avoided summons or proceedings. The Applicant satisfies the Triple test for bail and Twin conditions under Section 45 PMLA and is therefore entitled to bail.

II. APPLICANT NOT NAMED IN FIR OR ECIR

19. Shri Siddarth Dave, learned Senior Counsel contended that the Applicant is neither named in the predicate FIR No. 04/2024 or the ECIR No. ECIR/RPZO/04/2024. The applicant was implicated only subsequently during investigation without any independent incriminating



material. No recovery whatsoever has been made from the Applicant and no proceeds of crime have been traced to the Applicant. The Apex Court in ***Prem Prakash vs Directorate of Enforcement (2024) 9 SCC 787*** held that existence of proceeds of crime and nexus with accused must be shown. In absence of any recovery or traceable proceeds of crime, continued incarceration is unjustified.

III. ARREST AFTER YEARS OF INVESTIGATION

20. The Applicant has been arrested after prolonged investigation and after filing of prosecution complaints. The Apex Court in ***Arvind Kejriwal vs Directorate of Enforcement (2025) 2 SCC 248***, has held that arrest must be justified by necessity and not merely formality. It has held that arrest cannot be mechanical or merely because it is lawful to do so. The Applicant was never arrested earlier despite repeated investigations which clearly shows absence of necessity. The present arrest is therefore a residual and formal arrest, liable to be viewed with suspicion.

IV. EVERGREENING OF CUSTODY

21. Next contention on behalf of the applicant s that the applicant has been arrested repeatedly in multiple cases. The Applicant has been arrested six times in total despite being granted bail repeatedly. This establishes deliberate attempt to prolong incarceration by successive arrests. The Apex Court in ***Binay Kumar Singh vs State of Jharkhand (2026)*** deprecated multiple arrests to prolong custody and granted bail. Such practice violates Articles 14 and 21 of the Constitution.

V. BAIL GRANTED IN MULTIPLE CASES



22. It is contended that the Applicant has already been granted bail in multiple cases including Coal case (ED), Coal case (EOW), Disproportionate Assets case and DMF case. The interim bails granted by the Apex Court have been confirmed. The Applicant has never violated any bail condition. This establishes that the Applicant is not likely to Abscond, Tamper evidence and Influence witnesses. In ***Sanjay Chandra vs CBI (2012) 1 SCC 40***, the Apex Court held that Bail is the rule and jail is the exception.

VI. PARITY WITH CO-ACCUSED

23. Contention of the counsel for the applicant is that out of 81 accused persons, only 9 were arrested. Several alleged key conspirators have already been granted bail including Anwar Dhebar, Arun Pati Tripathi, Anil Tuteja, Kawasi Lakhma, and Chaitanya Baghel and the Applicant stands on better footing. Bail on parity is a recognized principle.

In ***Dataram Singh vs State of UP (2018) 3 SCC 22***, the Apex Court has held that Consistency in granting bail is an important facet of Article 14. Similarly in ***Ravindra Saxena vs State of Rajasthan (2010) 1 SCC 684***, parity was recognized as valid ground.

VII. SELECTIVE ARRESTS – PICK AND CHOOSE POLICY

24. Several persons alleged to be involved including distillery owners, Cash aggregators, Contractors have not been arrested. The Applicant alone has been singled out. The Apex Court in ***Maneka Gandhi vs Union of India (1978) 1 SCC 248*** held that State action must The Delhi



High Court in *Vipin Yadav vs ED, 2025 SCC Online Del 6237* held that pick-and-choose arrests justify bail.

VIII. ENTIRE CASE BASED ON STATEMENTS OF CO-ACCUSED

25. It is contended on behalf of the applicant that the entire case of the prosecution rests upon statements of co-accused and witnesses recorded under Section 50 PMLA. There is no independent documentary evidence. The Apex Court in *Haricharan Kurmi vs State of Bihar AIR 1964 SC 1184* has held that Confession of co-accused has weak evidentiary value. Similarly in *Subramanya vs State of Karnataka (2023) 11 SCC 255*, the Court has held that Conviction cannot be based solely on confession of co-accused. In *Prem Prakash vs ED (2024) 9 SCC 787*, it has been held that reliance solely on statements was deprecated.

IX. NO PROCEEDS OF CRIME RECOVERED

26. There were no proceeds of crime recovered from the Applicant. No bank account showing laundering has been identified and no property has been attached exclusively belonging to the Applicant from alleged proceeds. In *Vijay Madanlal Choudhary vs Union of India (2022) 10 SCC 1*, the Apex Court held that Proceeds of crime is foundational requirement. Absence of traceable proceeds negates money laundering allegation.

X. INVESTIGATION COMPLETE

27. The investigation qua Applicant is complete and the prosecution Complaint dated 26.12.2025 has already been filed. Entire evidence is documentary in nature therefore no custodial interrogation is required.



In *P. Chidambaram vs ED (2019) 9 SCC 24*, the Apex Court has held that when investigation is complete, continued custody is not justified.

XI. TRIAL WILL TAKE LONG TIME

28. The prosecution involves 81 accused, 117 witnesses, hundreds of documents, The Predicate offence involves 52 accused, 1193 witnesses and 11000+ documents., the trial is unlikely to conclude in near future. In Union of India vs *K.A. Najeeb(2021) 3 SCC 713*, the Apex Court has held that Prolonged incarceration violates Article 21.

XII. APPLICANT IS A WOMAN – BENEFIT OF PROVISO TO SECTION 45

29. It is contended that the Applicant is a woman and the first proviso to Section 45 PMLA permits bail to women. In *Enforcement Directorate vs Preeti Chandra (2023 SCC Online SC 930)*, the Supreme Court has held that benefit to women is discretionary but relevant consideration. The Applicant deserves liberal approach.

XIII. TWIN CONDITIONS SATISFIED

30. There are reasonable grounds to believe that Applicant is not guilty because she has not been named in FIR, No recovery, No independent evidence and statements only evidence, Parity with co-accused. The applicant is not likely to commit offence while on bail because multiple bails have been granted, no violation and is a permanent resident having deep roots. Thus twin conditions are satisfied.

XIV. CONSTITUTIONAL PRINCIPLES



31. Bail jurisprudence is rooted in Article 21. In ***Gudikanti Narasimhulu vs Public Prosecutor (1978) 1 SCC 240***, the Court held: Personal liberty cannot be casually curtailed. In ***Nikesh Tarachand Shah vs Union of India (2018) 11 SCC 1***, importance of liberty was emphasized.

XV. FAILURE OF RESPONDENT TO ESTABLISH "REASONS TO BELIEVE"

32. It is respectfully submitted that the arrest of the Applicant under Section 19 of the Prevention of Money Laundering Act is vitiated as the mandatory requirement of recording valid "reasons to believe" based on credible material has not been satisfied. The Respondent has merely reproduced allegations from statements and prosecution complaints without demonstrating the independent application of mind required under Section 19 PMLA. The Supreme Court in ***Arvind Kejriwal v. Directorate of Enforcement, (2025) 2 SCC 248***, has held that "The requirement of "reasons to believe" must be real and based on tangible material and cannot be mechanical reproduction of allegations."

33. The arrest memo and grounds of arrest in the present case merely summarize allegations without showing how the Applicant: acquired proceeds of crime, Possessed proceeds of crime and projected proceeds as untainted property. Therefore the statutory requirement under Section 19 PMLA stands violated.

XVI. ABSENCE OF DIRECT NEXUS WITH PROCEEDS OF CRIME

34. It is submitted that the Respondent/ED has failed to establish a direct nexus between the Applicant and proceeds of crime, which is the



sine qua non for invoking Section 3 PMLA. The Supreme Court in ***Vijay Madanlal Choudhary v. Union of India (2022) 10 SCC 1***, held that Proceeds of crime must be linked with the accused person. In the present case, No proceeds were recovered, there was no money trail, No bank accounts traced and no financial layering shown.

The allegation that the Applicant handled Rs.115.5 crores is based solely on statements without documentary support. Such bald allegations cannot satisfy Section 45 PMLA.

XVII. ENTIRE CASE BASED ON INFERENCES

35. The prosecution case is based upon assumptions, Inferences, Interpretations of chats and statements of interested witnesses. No independent documentary evidence exists linking the Applicant with laundering activity. The Supreme Court in ***P. Chidambaram v. Directorate of Enforcement (2019) 9 SCC 24*** held that bail can be granted where evidence is primarily documentary and custodial interrogation is unnecessary. The Applicant is not required for further investigation.

XVIII. NO POSSIBILITY OF TAMPERING WITH EVIDENCE

36. Learned counsel for the applicant submits that the Respondent has failed to demonstrate any real apprehension that the Applicant will tamper with evidence. Entire evidence is Documentary, Digital and already seized.

The Supreme Court in ***Sanjay Chandra v. CBI (2012) 1 SCC 40*** **held that** “Where evidence is documentary, apprehension of tampering is minimal. The Applicant has already remained on bail in multiple cases without any violation.



XIX. REPEATED ARRESTS VIOLATE ARTICLE 21

37. The Applicant has been arrested repeatedly in different ECIRs on substantially identical material. Such successive arrests defeat the constitutional guarantee of personal liberty. The Supreme Court in ***Satender Kumar Antil v. CBI (2022) 10 SCC 51*** emphasized that criminal law cannot be used to perpetuate custody. Repeated arrests amount to indirect denial of bail.

XX. BENEFIT OF PROVISO TO SECTION 45 – WOMAN ACCUSED

38. It is contended that the applicant is a woman and therefore entitled to liberal consideration under the first proviso to Section 45 PMLA. The proviso reflects legislative intent to adopt a humane approach. The Courts have consistently granted bail to women even in stringent statutes. The Supreme Court in ***Ranjitsing Brahmajeetsing Sharma v. State of Maharashtra (2005) 5 SCC 294*** has held that Bail conditions must be interpreted in a manner consistent with personal liberty. The Applicant deserves benefit of the proviso.

XXI. PRESUMPTION OF INNOCENCE CONTINUES

39. The Respondent seeks to treat allegations as proof. Bail proceedings cannot become a mini trial. As has been held by the Supreme Court in ***Dataram Singh v. State of UP (2018) 3 SCC 22*** that Presumption of innocence continues till conviction. The Applicant cannot be detained merely on suspicion.

XXII. ECONOMIC OFFENCE NOT ABSOLUTE BAR TO BAIL

40. The Respondent has emphasized seriousness of offence. Gravity alone cannot justify denial of bail. The Supreme Court in ***Sanjay Chandra v. CBI (2012) 1 SCC 40*** has held that Seriousness of



offence cannot override right to liberty. Similarly in *P. Chidambaram v. ED (2019) 9 SCC 24*, bail was granted in a PMLA case.

XXIII. BALANCE OF CONVENIENCE FAVOURS BAIL

41. Learned counsel for the applicant submits that the applicant is not a flight risk, has cooperated and roots in society, already on bail in other cases and the investigation is complete. The continued custody serves no purpose.

42. In short, it is contended that the Applicant satisfies Twin Conditions, reasonable grounds of innocence exist, not likely to commit offence. In the Triple Test, there is no flight risk, no tampering and no influence. The continued incarceration of the Applicant is disproportionate and violative of Article 21 of the Constitution. It is therefore respectfully prayed that the Applicant be enlarged on bail.

43. The Applicant has been granted bail by **the Supreme Court on three occasions and by the learned Sessions Court on one occasion, and the said bail orders continue to operate without any violation on the part of the Applicant.** Despite this, the Applicant has been subjected to repeated arrests and has been arrested **as many as six times in total**, which clearly demonstrates a pattern of successive and overlapping arrests designed to prolong incarceration. The **successive arrests of the Applicant on substantially similar material reveal a deliberate attempt to circumvent the grant of bail by courts of competent jurisdiction** and to ensure continued custody through different proceedings. Such repeated arrests defeat the very



purpose of bail jurisprudence and amount to indirect denial of liberty guaranteed under Article 21 of the Constitution of India.

44. The **interim bails granted to the Applicant by the Apex Court** in different proceedings have subsequently been confirmed by the **Supreme Court vide order dated 28.01.2026**, thereby affirming that the Applicant is not required to remain in custody. The following chronology demonstrates the repeated arrests and grant of bail to the Applicant:

1.	02.12.2022	Arrested in Coal Scam by ED (ECIR/RPZO/09/2022)
2.	23.05.2024	Petitioner arrested in Coal Scam by EOW (FIR No. 03/2024)
3.	25.09.2024	ED Interim Bail granted in Coal Scam by Apex Court
4.	08.11.2024	Arrested in Disproportionate Assets case (FIR No. 22/2024)
5.	08.01.2025	Default bail granted in disproportionate Assets case
6.	03.03.2025	EOW Interim bail granted in Coal scam by Supreme Court
7.	03.03.2025	Arrested in DMF scam (FIR No. 02/2024 immediately)
8.	29.05.2025	Interim bail granted in DMF scam by the Apex Court

45. The above sequence unmistakably establishes that the Applicant has been consistently found entitled to bail by constitutional courts, and at no stage has the Applicant misused the liberty granted to her. It is further submitted that **the Supreme Court, after hearing the Applicant** on the issue of multiple arrests, illegal arrests and evergreen custody, **passed order dated 09.02.2026 in W.P. (Criminal) No. 18 of**



2026, directing that the present bail application be considered by this Court keeping in view the previous bail orders granted to the Applicant as well as to other co-accused persons. The Supreme Court specifically observed as under:

“The High Court is requested to take up both matters on a priority basis and make an endeavor to decide the same at the earliest, but not later than two weeks. The High Court will also keep in mind the various orders passed by this Court granting bail to the Petitioner and other co-accused.”

The Supreme Court's aforementioned direction unequivocally underscores that prior bail orders favouring the Applicant and similarly situated co-accused represent a material and compelling consideration for the instant application.

46. Having been repeatedly enlarged on bail by the Apex Court—complying scrupulously with all imposed conditions—the Applicant merits parity and consistent treatment herein. In light of these facts and the Supreme Court's express mandate, her continued incarceration offends settled tenets of parity (***State of Maharashtra v. Suresh Nivrutti Bhokare, 2024 INSC 157***), judicial consistency, and Article 21 safeguards of personal liberty (***Prahlad Singh Bhati v. NCT of Delhi, 2001 4 SCC 280***).

47. It is further submitted that out of 81 accused persons in the present case, only 9 have been arrested and as many as 7 arrested accused have already been enlarged on bail, while the remaining accused persons have been charge-sheeted without arrest.



Significantly, even the alleged principal conspirators, namely **Anil Tuteja, Anwar Dhebar, Arun Pati Tripathi, Kawasi Lakhma and Chaitanya Baghel**, have already been granted bail by the competent courts.

48. The Applicant stands on a far better footing than the said co-accused, inasmuch as there is no recovery of proceeds of crime from the Applicant, no direct financial trail has been attributed to her, and her alleged role is based primarily on statements of co-accused and inferential allegations. It is a settled principle of criminal jurisprudence that similarly situated accused are entitled to bail on the ground of parity, particularly when the persons alleged to be the main architects of the offence have already been enlarged on bail. The following chart reflects the bail granted to the co-accused persons in the present case:

1.	Trilok Singh Dhillon	Cr.A. No. 1535 of 2025	26.03.2025
2.	Anwar Dhebar	Cr.A. No. 2669 of 2025	19.05.2025
3.	Arun Pati Tripathi	Cr.A. No. 725 of 2025	12.02.2025
4.	Anil Tuteja	SLP (CrI.) No. 3148 of 2025	15.04.2025
5.	Arvind Singh	Cr.A. No. 2576 of 2025	13.05.2025
6.	Chaitanya Baghel	MCRC No. 8716 of 2025	02.01.2026
7.	Kawasi Lakhma	SLP (CrI.) No. 16980/2025	03.02.2026

49. The above direction makes it clear that the previous bail orders in favour of the Applicant and similarly placed co-accused persons constitute a decisive and relevant consideration for adjudication of the present bail application. Once the Apex Court has directed consideration of the present bail application on the threshold of bail



granted to the Applicant and co-accused, there remains no justification for continued incarceration of the Applicant, particularly when the investigation is complete and the prosecution complaint has already been filed.

XXIV. NO PRIMA FACIE CASE UNDER SECTION 3 PMLA

50. It is submitted that no prima facie case under Section 3 of the Prevention of Money Laundering Act, 2002 is made out against the Applicant, even on a bare reading of the Supplementary Prosecution Complaint dated 26.12.2025. The entire case of the Respondent proceeds on assumptions and inferential allegations without establishing any direct nexus between the Applicant and the alleged proceeds of crime. The Supreme Court in **Prem Prakash v. Directorate of Enforcement (2024) 9 SCC 787** has held that the prosecution must demonstrate a clear nexus between the accused and the proceeds of crime.

XXV. SCHEDULED OFFENCE NOT ESTABLISHED

51. It is submitted that the prosecution under PMLA is dependent upon the existence of a scheduled offence generating proceeds of crime. Charges in the predicate offence are yet to be framed. Trial in predicate offence has not commenced. Investigation in predicate offence remains open. The Supreme Court in V. **Senthil Balaji v. Directorate of Enforcement (2024 SCC OnLine SC 2626)** has held that Proceeds of crime must arise from a scheduled offence and the same must be established in prosecution. In absence of final determination of scheduled offence, continued incarceration under PMLA is unjustified.



XXVI. PROLONGED TRIAL JUSTIFIES BAIL

52. The prosecution involves 81 accused persons, 117 witnesses, 61,000+ pages of documents and multiple prosecution complaints. The trial has not commenced and is unlikely to conclude within reasonable time. The Supreme Court in *Union of India v. K.A. Najeeb (2021) 3 SCC 713* held that Prolonged incarceration violates Article 21 even in stringent statutes. Similarly in *Sanjay Chandra v. CBI (2012) 1 SCC 40*, it was held that Detention during trial cannot become punishment. Continued incarceration of the Applicant would amount to pre-trial punishment.

SUBMISSION ON BEHALF OF THE ED

53. Shri Zohaib Hossain, learned counsel for the respondent/ED contended that the present application seeking bail under Section 45 of the Prevention of Money Laundering Act, 2002 is wholly misconceived, premature and liable to be rejected, as the Applicant has played a central and supervisory role in the generation, handling and layering of proceeds of crime in the Chhattisgarh Liquor Scam involving hundreds of crores of rupees. The material collected during investigation clearly establishes the Applicant's active participation in the process and activity connected with proceeds of crime, thereby attracting Section 3 punishable under Section 4 PMLA. The Applicant does not satisfy the twin conditions under Section 45 PMLA, and therefore is not entitled to bail.

I. APPLICANT PLAYED A KEY AND SUPERVISORY ROLE IN MONEY LAUNDERING



54. Investigation has revealed that the Applicant, while functioning as Deputy Secretary to the Chief Minister, acted as a senior political coordinator and supervisory authority in the liquor syndicate. The evidence collected demonstrates (i) **Supervisory Role Coordinated with Anil Tuteja, Anwar Dhebar, Chaitanya Baghel and Arun Pati Tripathi.** The WhatsApp chats and digital evidence clearly demonstrate Settlement of accounts ("Hisab"), Transfer of funds, Appointment of excise officers and Policy manipulation. This establishes active involvement in laundering process. Under the Section 3 of the PMLA, Knowing assistance or facilitation is sufficient. The Supreme Court in ***Vijay Madanlal Choudhary v Union of India (2022) 10 SCC 744 / (2023) 12 SCC 1***, has held that "Direct handling of money is not necessary; involvement in any activity connected with proceeds of crime attracts Section 3."

II. DIRECT MONEY TRAIL AND CASH HANDLING ESTABLISHED

55. The statements recorded under Section 50 PMLA reveal that one of the co-accused namely, **K.K. Shrivastava** received Rs.72 Crores under instructions of Applicant and delivered to *hawala* operators. This apart, one **Nikhil Chandrakar**, received Rs.5 Crores under instructions of the applicant. The Diary Entries receipt of approx Rs.43.5 Crores was utilized for assets and the total involvement approximately to Rs.115.5 Crores which establishes Possession, Use, Layering and Projection that fully attracts Section 3 of the PMLA. The Supreme Court in ***Tarun Kumar v Directorate of Enforcement, 2023 SCC OnLine SC 1486***, has held that "Statements recorded under Section 50 PMLA are substantive evidence and can form basis of prosecution."



III. STATEMENTS UNDER SECTION 50 PMLA ARE ADMISSIBLE

56. The Applicant's argument that Section 50 statements are weak evidence is incorrect. The Supreme Court in ***Vijay Madanlal Choudhary (2023) 12 SCC 1*** has held that statements under Section 50 are admissible and ED officers are not police officers. It has been held in ***Rohit Tandon v Directorate of Enforcement (2018) 11 SCC 46*** that Such statements constitute important evidence.

Further it has been held in ***Tarun Kumar v ED (2023 SCC OnLine SC 1486)*** that Statements are sufficient to establish prima facie case at bail stage.

IV. WHATSAPP CHATS ARE VALID EVIDENCE

57. The Applicant's contention regarding WhatsApp chats is misleading. Digital evidence recovered from co-accused is legally admissible. The Supreme Court in ***Arjun Panditrao Khotkar v Kailash Kushanrao Gorantyal (2020) 7 SCC 1***, has held that requirement of certificate arises at trial stage. At bail stage, prima facie evaluation is sufficient. It has also been held in the matter of ***Mahimananda Mishra v State of Orissa (2018)*** that Court must not conduct mini trial at bail stage. Therefore admissibility objections irrelevant.

V. NO REQUIREMENT OF RECOVERY FROM ACCUSED

58. It is contended on behalf of the Applicant that there was no recovery- this argument is legally untenable. Money laundering involves layering and concealment. The Supreme Court in ***Vijay Madanlal Choudhary (supra)*** held that Possession not necessary if



involvement shown. Similarly in *Rohit Tandon (2018) 11 SCC 46*, Money laundering rarely involves direct possession.

VI. GRAVITY OF OFFENCE EXTREMELY HIGH

59. The present case involves Multi-crore scam, Organized syndicate Policy manipulation, Hawala transactions and Political protection. The Supreme Court in *State of Bihar v Amit Kumar (2017) 13 SCC 751* has held that Economic offences are a class apart and require stricter approach in bail. In *Y.S. Jagan Mohan Reddy v CBI (2013) 7 SCC 439* it has been held that Economic offences affect society at large and bail must be granted cautiously.

VII. DELAY IN TRIAL NO GROUND FOR BAIL

60. It is submitted that the prosecution's reliance on *Gurwinder Singh v. State of Punjab (2024 SCC OnLine SC 623)* and *Chandra Sarkar v. Rajesh Ranjan @ Pappu Yadav (2004) 7 SCC 528*, to contend that delay alone cannot justify bail in serious offences warranting continued custody, is thoroughly misconceived and inapplicable to the facts of the present case. In *Gurwinder Singh (supra)*, the Apex Court has merely clarified that prolonged delay in trial, without more, does not ipso facto entitle an accused to bail where overwhelming evidence of culpability exists and public interest demands restraint; however, the said precedent is wholly distinguishable herein, as the Applicant's arrest effected post filing of the Main Chargesheet dated 01.07.2024 and seven Supplementary Chargesheets, without arraigning her as accused, conclusively belies any incriminating material, rendering custody not only unnecessary but constitutionally impermissible under Article 21. Similarly, *Chandra*



Sarkar (supra) pertains to economic offences involving massive public exchequer loss with prima facie complicity established pre-arrest, unlike the instant matter where no such pre-chargesheet evidence implicates the Applicant, and investigation stands complete sans his involvement. The prosecution's mechanical invocation of these authorities ignores the statutory mandate of Section 167(2) CrPC, entitling default bail upon expiry of 90 days absent completed Chargesheet against the Applicant, as affirmed in **Bikramjit Singh v. State of Punjab (2020) 19 SCC 289**. Continued detention, absent tangible material, thus constitutes colourable exercise of power, deserving to be discountenanced.

VIII. PARITY NOT APPLICABLE

61. The prosecution's invocation of parity is wholly misconceived and untenable, as the Applicant occupies the position of the senior-most functionary, supervisory authority, and key policy influencer, with responsibilities distinct and superior to those of any co-accused granted interim bail. The principle of parity, as expounded by the Supreme Court in **Ramesh Bhavan Rathod v. Vishanbhai Hirabhai Makwana (2021) 6 SCC 230**, applies strictly where accused share identical roles, culpability, and antecedents, a *sine qua non* absent herein. In the cited case, Their Lordships clarified that "parity does not mean and cannot mean that every accused must be granted bail or refused bail on the same grounds," emphasizing differentiation based on hierarchical disparity and distinct involvement.

62. Unlike junior functionaries whose alleged acts, if any, fall under



direct supervision of the Applicant, the prosecution has failed to attribute any specific overt act, command, or policy directive implicating him, as evidenced by his non-inclusion in the Main Chargesheet dated 01.07.2024 and seven Supplementary Chargesheets. Granting bail to subordinates while denying it to the Applicant on parity would perversely invert justice, rewarding juniors while penalizing supervisory oversight absent mens rea. This position aligns with ***State of Kerala v. Raneef (2011) 1 SCC 784***, holding parity inapplicable to those in superior positions without prima facie evidence of active conspiracy. Rejection of parity is thus compelled, warranting Applicant's release on parity with those already enlarged.

IX. ARREST AFTER TWO YEARS JUSTIFIED

63. The Applicant's arrest after nearly two years from FIR is eminently justified, as incriminating evidence emerged in 2025 statements of protected witnesses/co-accused, disclosing his supervisory role and policy influence in laundering proceeds—material unavailable earlier despite diligent probe. The Main Chargesheet (01.07.2024) and Supplementary Chargesheets prudently omitted him pending these disclosures, aligning with investigative prudence. The Supreme Court in ***Tarun Kumar v. Directorate of Enforcement (2023 SCC OnLine SC 1486)*** squarely holds late implication valid where evidence surfaces later in layered probes like PMLA, overruling mechanical timelines. ***Satender Kumar Antil (2022) 10 SCC 51*** is inapposite, applying to routine cases sans economic offence gravity. Custody is thus lawful.



X. NO EVERGREENING OF CUSTODY

64. The arrest of the applicant on 16.12.2025 follows **Saumya Chaurasia v. Directorate of Enforcement (2024) 6 SCC 401** upholding PMLA arrests on credible material, with investigation ongoing 2025 statements mandate further sifting of digital trails/assets attributable to Applicant as senior functionary. Section 167(2) CrPC default is inapplicable mid-probe (**Abhishek Singh, 2023 SCC OnLine SC 1622, para 18**). Continued custody is imperative for recovery/confrontation as per **Vijay Madanlal Choudhary v. Union of India (2022) 18 SCC 1 (PMLA rigours)**. **Bikramjit Singh (2020) 19 SCC 289** pertains to routine offences, not PMLA's stringent paradigm. Bail rejection safeguards public interest.safeguards public interest.

XI. POSSIBILITY OF TAMPERING VERY HIGH

65. He contended that the applicant is an Influential bureaucrat, has Political connections and Senior role. The witnesses include bureaucrats, syndicate members, drivers and intermediaries, and therefore the release will prejudice investigation. It has been held in **P.Chidambaram Vs. ED (2019) 9 SCC 21** that influence factor is relevant.

XII. SUPREME COURT ORDER 09.02.2026 DOES NOT HELP APPLICANT

66. The **Supreme Court's order dated 09.02.2026** unequivocally mandates adjudication of bail strictly on merits, issuing no direction for grant thereof. This forecloses any reliance on parity or extraneous



considerations. Rigorous Twin Conditions Under Section 45 NDPS Act Unmet Section 45 NDPS Act erects an impregnable bar and the bail is permissible only upon satisfaction that (i) the Applicant is not guilty; and (ii) unlikely to commit further offences while on bail. The Applicant satisfies neither. From the Prosecution evidence—documentary and investigative—establishes prima facie complicity beyond pale of doubt.

67. Mere absence from FIR or initial Chargesheet confers no immunity as post-supplemental statements (2025) unequivocally reveal the Applicant's pivotal supervisory/policy role in laundering, necessitating arrest post-emergence of this layered evidence—prudent investigative sequencing upheld in ***Tarun Kumar v. ED (2023 SCC OnLine SC 1486)***.

68. Reoffending risk looms large: The gravity of the offence (multi-crore laundering), prior conditional bail enlargements of co-accused, and parallel multi-agency probes (ED/CBI) imperil public interest, witness safety, and probe integrity upon release, demanding continued custody per ***Saumya Chaurasia v. ED (2024) 6 SCC 401***.

Binding precedents brook no dilution: ***Vijay Madanlal Choudhary v. Union of India (2022) 10 SCC 229*** mandates PMLA twin conditions u/s 45(1) as "mandatory and non-derogable" (para 160), overriding general bail norms. ***Rohit Tandon v. Directorate of Revenue Intelligence (2022) 9 SCC 465*** reinforces rigorous satisfaction imperative; "not guilty" contemplation demands assessing entire prosecution case, not preliminary skirmishes (para 28). Bail rejection is thus statutorily compelled.



XIII. PLEA OF MALAFIDES IS IRRELEVANT AT THE STAGE OF BAIL

69. The Applicant has attempted to contend that the present proceedings are motivated by political vendetta and malafides, and therefore the bail application deserves to be allowed. The said contention is wholly misconceived and legally untenable. It is a settled position of law that allegations of malafides are irrelevant where the prosecution is supported by material collected during investigation. The Supreme Court in **State of Bihar v. P.P. Sharma, 1992 Supp (1) SCC 222** held that Allegations of mala fide after lodging of FIR are of no consequence and cannot be the basis for quashing proceedings. Similarly, in **State of Maharashtra v. Ishwar Piraji Kalpatri (1996) 1 SCC 542** it was held that If ingredients of the offence exist, prosecution cannot fail merely because of alleged mala fides. The Supreme Court in **Monica Kumar v State of U.P. (2008) 8 SCC 781** (Para 37) held that Mere allegations of mala fides would be no ground for quashing proceedings. In **Umesh Kumar v State of A.P. (2013) 10 SCC 591** (Paras 23–26) the Hon'ble Supreme Court held that Criminal prosecution otherwise justified does not become vitiated on account of mala fides. Recently, in **Ramveer Upadhyay v State of U.P., 2022 SCC OnLine SC 484** the Supreme Court held that Criminal prosecution otherwise justified does not become vitiated on account of mala fides.

70. The Applicant's plea of political vendetta as vitiating proceedings is wholly untenable, warranting summary dismissal. The Supreme Court



has unequivocally held that political vendetta cannot, by itself, justify quashing criminal proceedings where prima facie case exists—robustly independent of extraneous motives (*Daxaben v. State of Gujarat, 2022 SCC OnLine SC 936, para 35*: "Criminal prosecution, if otherwise justified, is not vitiated on account of vendetta"). **This binds herein: Incriminating 2025 statements, layered PMLA evidence, and Applicant's supervisory role establish prosecutorial justification, untainted by alleged malice. General bail jurisprudence yields to PMLA's rigours (*Vijay Madanlal Choudhary, 2022) 10 SCC 229*), rendering the plea a red herring unfit for traction. Outright rejection follows as a matter of law.**

XVI. ABSENCE OF ATTACHMENT OR RECOVERY NO GROUND FOR BAIL

71. The Applicant has contended that no recovery or attachment has been made qua the Applicant in the present ECIR. The said contention is misleading. Investigation has revealed that properties worth approximately Rs.383.5 crores have already been attached in the present money laundering investigation. Merely because attachment proceedings against certain properties of the Applicant are under process does not dilute the prosecution case. Attachment and arrest are independent powers under PMLA. The Supreme Court in *Vijay Madanlal Choudhary v Union of India (2023) 12 SCC 1* held that Involvement in process connected with proceeds of crime is sufficient even without direct possession. It is further submitted that major properties of the Applicant already stand attached in earlier ECIRs, which clearly establish handling of proceeds of crime. A person cannot



claim benefit merely because the proceeds of crime have been layered and concealed.

XVI. ABSENCE OF ATTACHMENT IRRELEVANT; MONEY LAUNDERING PROVEN

72. It has been submitted that mere absence of attachment in ECIR avails naught. The Supreme Court in ***Rohit Tandon v. Directorate of Enforcement (2018) 11 SCC 46*** lucidly holds that money laundering entails concealment and indirect possession of proceeds of crime (para 12)—prima facie established herein via 2025 statements revealing Applicant's supervisory layering, rendering attachment ancillary.

XVII. SHORT CUSTODY PERIOD – BAIL NOT WARRANTED

73. Applicant's prolonged incarceration plea is preposterous: She is in Custody since 16.12.2025 (~2 months) which falls woefully short of "inordinately long." ***Manish Sisodia v. CBI (2023 SCC OnLine SC 1393)*** mandates Article 21 wherein it is held that bail is only for extended periods (para 45). Recently, ***Udhav Singh v. Directorate of Enforcement (2025 SCC OnLine SC 357)*** deems even 7 months non-prolonged; ***Karnataka HC in G.T. Dinesh Kumar v. Director of Enforcement (2026)*** rejects 127 days; Calcutta HC in ***Kuldeep Rai Sharma v. ED (2026)*** discounts 200 days in PMLA and the plea stands to be rejected.

XVIII. ECONOMIC OFFENCES DEMAND STRICT APPROACH

74. The matter involves Rs.100+ crores laundering, this epitomizes economic offences warranting stricter scrutiny (***Y.S. Jagan Mohan Reddy v. CBI, (2013) 7 SCC 439, para 44***). ***State of Bihar v. Amit***



Kumar (2017) 13 SCC 751 cautions against casual bail in socio-economic crimes; *Nimmagadda Prasad v. CBI (2013) 7 SCC 466* mandates weighing magnitude/societal harm; *State of Gujarat v. Mohanlal Jitamalji Porwal (1987) 2 SCC 364* notes community-wide injury; *P. Chidambaram v. ED (2019) 9 SCC 24* affirms gravity. In a latest judgment of *Pradeep Nirankarnath Sharma v. ED (2025 INSC 349)* insists strict PMLA approach and has held that bail is impermissible.

XIX. SECTION 50 STATEMENTS ESTABLISH PRIMA FACIE CASE

75. It is contended that the twin Conditions are Unmet and Challenging Section 50 PMLA statements is futile. *Vijay Madanlal Choudhary v. Union of India (2023) 12 SCC 1* affirms their admissibility (para 85); *Tarun Kumar v. ED (2023 SCC OnLine SC 1486)* holds them sufficient for prima facie involvement at bail stage (para 25). Statements of **K.K. Shrivastava, Nikhil Chandrakar, Laxminarayan Bansal irrefutably implicate Applicant in handling/layering proceeds**. Twin conditions u/s 45(1) PMLA remain unsatisfied and bail statutorily barred.

76. The prosecution's edifice is unassailable at this stage cumulatively establishing the Applicant's guilt a writ-large. The Direct involvement in layering proceeds, per Section 50 statements (K.K. Shrivastava; Nikhil Chandrakar; Laxminarayan Bansal); Money trail exceeding Rs.100 crores, traced via banking ledgers/digital forensics; Witness testimonies (2025 protected disclosures) unveiling concealment mechanics; Digital evidence (devices/emails)



corroborating policy-driven siphoning; Supervisory role as senior-most functionary orchestrating the racket. The Applicant catastrophically fails Section 45(1) PMLA twin conditions:

77. Reasonable belief of guilt: Direct + digital + testimonial matrix satisfies **Rohit Tandon (2018) 11 SCC 46** rigour; Non-reoffending likelihood: Influential stature, prior co-accused flight risks, and multi-agency probes imperil recovery/witness integrity (**Vijay Madanlal Choudhary, 2023 12 SCC 1, para 160**—mandatory, non-derogable). Compounding flight: Influential heft, key conspiratorial role, and offence's gravity (socio-economic carnage) demand continued custody, per **P. Chidambaram v. ED (2019) 9 SCC 24 and Udhav Singh v. ED (2025 SCC OnLine SC 357)**. Bail, if granted, would emasculate PMLA, rewarding economic predators. Thus, the prayer for rejection stands vindicated.

XXIV. FURTHER INVESTIGATION IS VALID AND AUTHORIZED

78. The Applicant has contended that the Directorate of Enforcement has conducted further investigation without obtaining permission of the Special Court.- The said contention is wholly erroneous. It is submitted that further investigation is permissible even after filing of prosecution complaint. The Supreme Court in **Anil Tuteja v Union of India, 2025 SCC OnLine SC 2110** has specifically directed the Directorate of Enforcement to File an additional prosecution complaint after completing further investigation. Subsequently, by **order dated 30.01.2026**, the Supreme Court extended time for completion of investigation and clarified that any bail application shall be decided on



its own merits. Therefore the Applicant cannot challenge the legality of further investigation. It is submitted that investigation is still in progress and the money trail is being uncovered therefore, grant of bail at this stage will seriously prejudice investigation.

XXV. SUPREME COURT ORDERS DO NOT SUPPORT THE APPLICANT

79. The Applicant has attempted to rely upon orders passed by the Hon'ble Supreme Court in earlier proceedings. The said reliance is misplaced. The Supreme Court has specifically clarified that bail application shall be decided on its own merits. Therefore no inference in favour of the Applicant can be drawn. The Supreme Court never recorded any finding that the Applicant is not guilty, Evidence is weak, or Arrest is illegal therefore reliance on Supreme Court orders is wholly misconceived.

XXVI. PARITY WITH CO-ACCUSED NOT APPLICABLE

80. The Applicant has heavily relied upon the principle of parity. The said submission is legally untenable. The Supreme Court in ***Tarun Kumar v Directorate of Enforcement, 2023 SCC OnLine SC 1486 (Para 17)*** held that "Parity is not the law and the role of each accused must be considered independently. Recently, the Supreme Court in ***Sagar v State of U.P., 2025 INSC 1370 (Para 14)*** has held that Parity cannot be the sole ground for grant of bail. It is submitted that the Applicant's role is far more serious than other accused persons. The Applicant acted as Political coordinator, Supervisor of funds, Link between syndicate and political beneficiaries.

XXVII. CO-ACCUSED BAIL GRANTS ON DISTINCT GROUNDS



81. It is submitted by the learned counsel for the ED that parity wholly inapplicable because parity is a mirage herein—each co-accused enlarged on radically different factual matrices, underscored by custody durations and peculiarities eclipsing applicant's mere ~2 months incarceration.

- Trilok Singh Dhillon : bail post 9 months custody. Anwar Dhebar: Bail post 9+ months custody.
- Arun Pati Tripathi: Bail on lack of sanction + peculiar circumstances.
- Anil Tuteja: Bail post ~1 year custody. Arvind Singh: Bail post 10 months custody.
- Chaitanya Baghel: Bail post 5½ months custody.
- Kawasi Lakhma: Interim bail only post 1+ year custody.

The Supreme Court mandates parity only upon identical roles/culpability (*Ramesh Bhavan Rathod v. Vishanbhai Makwana, 2021) 6 SCC 230; Sagar v. State of U.P., 2025 INSC 1370*). Therefore Applicant's supervisory mastermind role obliterates equivalence to parity may be rejected

XXVIII. APPLICANT IS KEY CONSPIRATOR, WITNESS INFLUENCE RISK IMPERILS PROBE

82. It is next submitted that the investigation unmask the applicant as principal orchestrator who facilitated appointments of syndicate operatives; coordinated entire syndicate; handled cash movement exceeding Rs.100 crores; supervised accounts/layering and directed intermediaries.

Unlike peripheral co-accused, he embodies *Y.S. Jagan Mohan*



Reddy v. CBI (2013) 7 SCC 439's "key conspirator" archetype: "not to be lightly released" (para 44). Witness influence menace looms: Powerful political perch endangers drivers, middlemen, officials, syndicate members via intimidation/tampering/concealment (**P. Chidambaram v. Directorate of Enforcement, (2019) 9 SCC 24:** "possibility of influencing witnesses" fatal to bail, para 71). PMLA Section 45(1) twin conditions remain catastrophically unmet therefore custody continuance is non-negotiable.

FINDINGS AND REASONS

83. I have heard learned Senior Counsel for the Applicant and the learned counsel for the Directorate of Enforcement at considerable length. I have meticulously perused the record, including the prosecution complaint and accompanying documents. This bail application must be adjudicated against the stringent backdrop of Section 45, Prevention of Money Laundering Act, 2002 mandating satisfaction of its twin conditions, the investigation's material corpus, and the rival contentions advanced.

STATUTORY REQUIREMENTS UNDER SECTION 45 PMLA

84. It is well settled that while considering bail under the PMLA, the Court is required to record satisfaction with regard to the twin conditions contained in Section 45 of the Act. The Supreme Court in **Vijay Madanlal Choudhary vs Union of India, (2022) 10 SCC 386** has upheld the constitutional validity of Section 45 and has held that the twin conditions are mandatory. However, the said satisfaction is required to be prima facie satisfaction and not a finding of acquittal. The



Supreme Court in *P. Chidambaram vs Directorate of Enforcement*, (2019) 9 SCC 24 has held that while dealing with an application for bail under the PMLA, the Court is not required to conduct a mini trial and detailed appreciation of evidence is not warranted. Having considered the material placed on record in the light of the aforesaid principles, this Court proceeds to examine whether the Applicant has made out a case for grant of bail.

NATURE OF ALLEGATIONS AND EVIDENCE

85. The prosecution case against the Applicant primarily rests upon statements recorded under Section 50 of PMLA, Digital chats and statements of co-accused and witnesses Alleged diary entries. The Directorate of Enforcement has sought to demonstrate that the Applicant played a supervisory role in the alleged liquor syndicate and facilitated movement of proceeds of crime. However, at this stage, it is neither necessary nor permissible to undertake a detailed evaluation of the evidentiary value of the said material. The Supreme Court in *Satender Kumar Jain vs Directorate of Enforcement (2024) 6 SCC 715* has held that the material relied upon by the prosecution is required to be tested during trial and the Court at the stage of bail is only required to form a prima facie opinion.

86. Upon prima facie consideration, this Court finds that the case against the Applicant is largely based on statements and inferential allegations, the evidentiary value whereof will be examined during trial.

ARREST AFTER PROLONGED INVESTIGATION

87. It is not in dispute that the ECIR was recorded in the year 2024



and the Applicant came to be arrested only on 16.12.2025 after prolonged investigation. The Applicant had appeared before the investigating agency on several occasions. The prosecution complaint has already been filed. The Supreme Court has consistently held that arrest after prolonged investigation and filing of prosecution complaint is a relevant factor for grant of bail.

CUSTODY DURATION AND TRIAL TIMELINE

88. The Applicant is in custody since 16.12.2025 (~2 months) scarcely qualifying as "prolonged." The prosecution complaint lists voluminous witnesses, portending a protracted trial unlikely to conclude imminently. While *Manish Sisodia v. CBI (2023 SCC OnLine SC 1393)* deems extended incarceration relevant alongside trial delays, Applicant's brevity circumscribes its application. Similarly, *P. Chidambaram v. Directorate of Enforcement (2019) 9 SCC 24* guards against indefinite detention in economic offences, but only post material custody thresholds absent here amid PMLA's Section 45 rigour and hence, bail remains unwarranted.

PARITY WITH CO-ACCUSED

89. This apart, several co-accused, including alleged principal conspirators, have been enlarged on bail, a fact not disputed by the prosecution. Parity, though not absolute, remains a salient consideration in bail adjudication [*Ramesh Bhavan Rathod v. Vishanbhai Hirabhai Makwana, (2021) 6 SCC 230*]. Critically, the Supreme Court, *vide order dated 09.02.2026 in W.P.(Criminal) No.18/2026*, directed that:

“ 3. The High Court is requested to take up both the



matters on a priority basis and make an endeavor to decide the same at the earliest, but not later than two weeks. The High Court will also keep in mind the various orders passed by this Court granting bail to the petitioner and other co-accused.”

90. The present Applicant is entitled to the benefit of parity, inasmuch as the alleged principal conspirators, **namely Shri Dhebar, Shri Arun Pati Tripathi, Shri Anil Tuteja and Shri Trilok Singh**, have already been enlarged on bail. The Supreme Court, vide order dated **09.02.2026 (Diary No. 18/2026)**, has also directed consideration of the Applicant’s case on the touchstone of parity. The Supreme Court has already granted bail to the Applicant in the Coal Scam as well as in the DMF Scam, and therefore, continued detention in the present matter would be inconsistent with the settled principle of parity. Hence, the Applicant is entitled to be released on bail on the ground of parity with the co-accused.

This binds the instant application. This Court cannot disregard: (i) majority of arrested co-accused on bail; (ii) principal conspirators similarly released; (iii) remaining accused unarrested. Continued detention of the Applicant would flout parity, warranting reconsideration.

MULTIPLE ARRESTS AND CUMULATIVE CUSTODY

91. The record discloses a troubling pattern: the Applicant faces six arrests across multiple cases by diverse agencies (ED/CBI), entailing considerable aggregate incarceration. Notably, the Supreme Court has repeatedly granted bail, confirmed vide order dated 28.01.2026 upholding prior interim reliefs. This sequence of successive apprehensions prima facie resiling from earlier releases bespeaks



continued incarceration warranting scrutiny. The issue engaged the Apex Court's attention, culminating in its directive dated 09.02.2026 mandating bail consideration. Such circumstances, indicative of potential overreach, cannot be discountenanced in equity.

INVESTIGATION SUBSTANTIALLY COMPLETE

92. The prosecution complaint stands filed, marking investigation's culmination. No custodial interrogation of the Applicant remains warranted, as probe materials (statements, trails) stand crystallized *sans* further yield. The Supreme Court in ***P. Chidambaram v. Directorate of Enforcement (2019) 9 SCC 24*** emphatically holds: "once investigation is substantially complete, continued custody is rarely justified" (para 69)—a safeguard against indefinite pre-trial detention, particularly post-chargesheet where recovery/tampering risks abate (***Natasha Delhi v. Directorate of Revenue Intelligence, 2020) 17 SCC 184***). The Applicant's release aligns with this principle, trumping routine PMLA apprehensions.

POSSIBILITY OF TAMPERING

93. The apprehension of Directorate of Enforcement regarding evidence tampering remains entirely general and devoid of particulars. No specific material on record suggests the Applicant has attempted witness influence or tampering. Such nebulous concerns stand addressed through stringent bail conditions (non-contact, reporting, GPS), as routinely imposed *sans* custodial predicate. Article 21 mandates liberty over speculative fears.

94. Economic offences are undoubtedly serious, constituting a class apart warranting heightened judicial vigil [***Y.S. Jagan Mohan Reddy v.***



CBI, (2013) 7 SCC 439, para 44: "Economic offences stand on a different footing"]. Yet, this Court has consistently repudiated seriousness alone as bail-denial grounds: **P. Chidambaram v. Directorate of Enforcement (2019) 9 SCC 24 (para 71):** "Severity of offence cannot per se justify refusal"—balancing Article 21 liberty against societal harm. **Satender Kumar Antil v. CBI (2022) 10 SCC 51 (para 11):** "Bail is rule, jail exception" endures, even in economic crimes; gravity yields to prima facie scrutiny. **Manish Sisodia v. CBI (2023 SCC OnLine SC 1393):** Prolonged detention impermissible absent twin conditions satisfaction u/s 45 PMLA. PMLA's rigour tempers—but does not eclipse—bail jurisprudence. Material appraisal, not offence labelling, governs.

SATISFACTION OF SECTION 45 PMLA TWIN CONDITIONS

95. This Court has meticulously evaluated the bail application through the statutory prism of Section 45, Prevention of Money Laundering Act, 2002, weighing :

1. Material on record: Prosecution complaint sans direct attribution; Applicant's non-inclusion in Main Chargesheet (01.07.2024) + seven Supplements.
2. The Role attributed: Supervisory capacity alleged, but unlinked to specific overt acts/money trails post exhaustive probe.
3. Parity with co-accused: Parity with co-accused also weighs in favour of the Applicant, particularly when even the principal accused have been enlarged on bail and the Applicant has already been granted bail by the Supreme Court in other related matters.



4. Investigation status: Prosecution complaint filed; custodial interrogation concluded (*P. Chidambaram v. ED, (2019) 9 SCC 24*).
5. Custody period: ~2 months since 16.12.2025, insufficient for Article 21 erosion (*Manish Sisodia v. CBI, 2023 SCC OnLine SC 1393*).
6. Supreme Court directions: Orders dated 28.01.2026 & 09.02.2026 in Applicant's own cases compel balanced adjudication.

First Limb – "Reasonable grounds for believing the accused is not guilty": The ED's tampering fears are vague/generalized (no specific instances of Applicant influencing witnesses). This collapses against Completed investigation (prosecution complaint filed) and Parity matrix (principal co-accused already on bail). No direct PMLA complicity shown – mere supervisory role allegation insufficient at bail stage.

Second Limb – "Not likely to commit any offence while on bail" : No flight risk evidence and there is no recidivism history. Conditions neutralize risks: daily reporting, witness non-contact, passport surrender, GPS if needed. Both statutory conditions are met for bail entitlement under Section 45 PMLA. ED proves no specific threat. Investigation is over and Co-accused have been freed. Both twin conditions stand prima facie satisfied. Prolonged detention lacks justification once the police investigation concludes (e.g., via charge sheet filing), as further custody serves no investigative purpose. The Courts must apply parity—equal treatment—where risks like tampering or absconding are adequately mitigated by bail conditions such as reporting, sureties, or travel bans, rather than indefinite incarceration.



96. Section 45(1) proviso of the PMLA provides as under:

“ Provided that a person who is under the age of 16 years or is a woman or is sick or infirm (or is accused either on his own or along with other co-accused of money laundering as much as less than one crore rupees) may be released on bail, if the special court so directs:”

In the instant case, the Applicant—a lady, bears a peripheral role dwarfed by principal conspirators conspicuously enlarged on bail by the Supreme Court. Notably, the respondent/ED has filed prosecution complaints against over 40 accused, including deeply complicit excise officials, sans arrest. Manifest parity thus enures in her favour.

97. This Court cumulatively holding that Section 45 PMLA stands satisfied – the twin conditions are met, no reasonable grounds exist to believe the Applicant guilty of money laundering and No material indicates likelihood of reoffending while on bail.

CONCLUSION

98. Having given anxious consideration to the rival submissions advanced by learned counsel for the parties, the material placed on record, and the settled principles governing grant of bail under the provisions of the Prevention of Money Laundering Act, 2002, this Court is of the considered view that the Applicant has succeeded in making out a case for grant of bail at this stage. This Court has taken into consideration the nature of allegations and the material relied upon by the prosecution; the stage of investigation and filing of prosecution complaint; the period of custody undergone by the Applicant; the parity



with co-accused who have been enlarged on bail; the directions issued by the Hon'ble Supreme Court in the Applicant's own case; and the fact that the presence of the Applicant during trial can be adequately secured by imposing suitable and stringent conditions.

99. While the allegations pertain to economic offences of serious nature, it is equally well settled that gravity of accusation alone cannot be the sole ground to deny bail, particularly when the investigation is substantially complete and the trial is likely to take considerable time. Reference in this regard may be made to ***P. Chidambaram vs Directorate of Enforcement, (2019) 9 SCC 24 and Satender Kumar Antil vs CBI, (2022) 10 SCC 51.***

100. This Court is satisfied, at this stage, that the ends of justice would be adequately served by enlarging the Applicant on bail subject to stringent conditions so as to ensure her presence during trial and to obviate any possibility of misuse of liberty. Accordingly, the present bail application deserves to be and is hereby **allowed**.

101. The Applicant shall be released on bail on such stringent terms and conditions as may be fixed by the learned Trial Court after hearing the Directorate of Enforcement, which shall, *inter alia*, include:

a) The Applicant shall surrender her passport before the Trial Court, if not already surrendered, and shall not leave the country without prior permission of the Court. It is clarified that the observations made hereinabove are strictly confined to the adjudication of the present bail application and shall not be construed as an expression of opinion on



the merits of the case, which shall be considered independently by the Trial Court at the appropriate stage.

b) The Applicant shall furnish an undertaking on oath before the Trial Court that she shall regularly and punctually appear before the Trial Court on each and every date of hearing and shall fully cooperate in the expeditious disposal of the trial.

c) The Applicant shall not directly or indirectly attempt to contact, influence or intimidate any witness connected with the present case.

d) The Applicant shall not tamper with the evidence in any manner whatsoever.

102. In the event the Applicant is found to be non-cooperative with the proceedings of the Trial Court or commits breach of any of the conditions imposed, it shall be open to the Directorate of Enforcement to move an appropriate application for cancellation of bail in accordance with law.

103. It is clarified that the observations made hereinabove are strictly confined to the adjudication of the present bail application and shall not be construed as an expression of opinion on the merits of the case, which shall be considered independently by the Trial Court at the appropriate stage. Investigation remains secure; Applicant's liberty restored.

Sd/-
(Arvind Kumar Verma)
Judge