

## **SC quashed bail granted by HC to accused during ED probe as the rigour of Sec. 45 of PMLA wasn't considered**

FEMA, BANKING & INSURANCE : SC quashes bail granted by HC without considering the rigour of section 45 of PMLA when ED probe against the accused was on

- As bail has been granted by HC without considering the rigour of bail conditions imposed by section 45 of PMLA and without going into the seriousness of offences involved, HC was not justified in enlarging the accused on bail when ED probe into money laundering offence and scheduled offence was on merely because predicated offences chargesheet has been filed .Investigation for the predicated offences and the investigation by the ED for the scheduled offences under the PML Act are different and distinct.
- Therefore, the impugned judgment(s) and order(s) passed by the High Court in Criminal Petition Nos. 1146/2021 and 1147/2021 enlarging respective respondent No. 1 - accused in respective appeals on bail are hereby quashed and set aside.
- The respective respondent No.1 now to surrender before the competent court having jurisdiction or before the concerned jail authority within a period of one week. The matters are remitted back to the High Court to consider the bail applications afresh after respective respondent No. 1 surrenders within a period of one week.

*Click below link for the judgment:*

[https://d78ydx8s015io.cloudfront.net/10101000000334320/Aditya\\_513801.pdf?fm=pdf](https://d78ydx8s015io.cloudfront.net/10101000000334320/Aditya_513801.pdf?fm=pdf)

*Source: Taxmann.com*