

107 IOIN-CRWP-9783-2024 IN-CRWP-9783-2024

BALWANT SINGH VS DIRECTORATE OF ENFORCEMENT

Present: None

Report dated 16.12.2024 submitted by learned Registrar
Vigilance of this Court, *inter alia*, reads as under:-

“REPORT

The instant matter originated from an order dated 18.11.2024 (Flag 'A'), passed in CRWP No.9783 of 2024, titled as 'Balwant Singh Vs. Directorate of Enforcement' by the Hon'ble Single Bench, vide which the aforesaid petition was allowed and the impugned order dated 05.10.2024 passed by Ms. Manjot Kaur, Special Judge, CBI-cum-PMLA, Punjab, SAS Nagar, Mohali as well as successive orders, thereby remanding the petitioner to judicial custody, were ordered to be quashed and set-aside.

In concluding part of the aforesaid order at para No.29, His Lordship has been pleased to pass the following order, which is reproduced as under:-

XXX XXX XXX XXX XXX

“29. Before parting with the order, Registrar (Vigilance) is requested to look into the matter as to on which date and time, the detailed order dated 05.10.2024 was uploaded by learned Special Court and report in this regard be submitted within two months, for perusal of this Court and for further action, if required.

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The relevant extract of the aforesaid order alongwith copy of the order dated 18.11.2024 passed in CRWP No.9783 of 2024, titled as 'Balwant Singh Vs. Directorate of Enforcement' and copies of the orders dated 05.10.2024, passed by Ms. Manjot Kaur, Special Judge, CBI-cum-PMLA, Punjab, SAS Nagar, Mohali, were received in the office of the undersigned on 05.12.2024, for necessary compliance.

The Hon'ble Single Bench, vide its order dated 18.11.2024 (at para No.29). passed in aforesaid CRWP No.9783 of 2024, specifically directed to look into the matter as to on which date and time, the detailed order dated 05.10.2024, passed in case bearing CIS No.COMA/01/2024, titled as 'Directorate of Enforcement Vs. Jaswant Singh', was uploaded by the Court of Ms. Manjot Kaur, Special Judge, CBI-cum-PMLA, Punjab, SAS Nagar, Mohali and to submit a report in this regard within two months, for perusal of this Court and for further action, if required.

*In this regard, it is submitted that the case bearing CIS No.COMA/01/2024. titled as 'Directorate of Enforcement Vs. Jaswant Singh, was disposed of by the Court of Ms. Manjot Kaur, Special Judge, CBI-cum-PMLA, Punjab, SAS Nagar, Mohali vide her detailed order dated 05.10.2024. In the aforesaid case bearing CNR No.PBSA010002072024 (COMA 1/2024), two orders dated 05.10.2024 were uploaded to the server. The relevant screenshot displaying both the orders dated 05.10.2024 and their respective timestamp is annexed herewith as **Annexure 'B'**.*

*Since, the Hon'ble Single Bench vide order dated 18.11.2024 (**Flag 'A'**), passed in the aforesaid CRWP No.9783 of 2024 specifically directed to ascertain the date and time as to when the detailed order dated 05.10.2024 was uploaded by the learned Special Court. In this context, it is submitted that the detailed order dated 05.10.2024 (**Annexure 'C'**), passed in case bearing CIS No.COMA/01/2024, titled as 'Directorate of Enforcement Vs. Jaswant Singh', by the Court of Ms. Manjot Kaur, Special Judge, CBI-cum-PMLA, Punjab, SAS Nagar, Mohali, was uploaded on **07.10.2024 at 15:43:30**.*

In compliance with the aforesaid order dated 18.11.2024, passed in CRWP No.9783 of 2024, titled as 'Balwant Singh Vs. Directorate of Enforcement', the report is hereby submitted for kind perusal and consideration, please.”

Perusal of the aforesaid extract reveals that order dated 05.10.2024 was uploaded on 07.10.2024.

It is noteworthy that learned Special Court while passing the impugned order dated 05.10.2024 cancelled the bail of petitioner and remanded him to E.D. custody for 04 days; but the order was uploaded on 07.10.2024. Thus, *prima facie* there is a serious lapse on the part of learned Special Court and deserves to be disciplined. But, taking a lenient view, learned Judicial officer is advised to be careful in future. As an abundant caution, learned District & Sessions Judge, SAS Nagar (Mohali) is requested to monitor the working of learned Special Judge at least for six months so that order(s) is/are uploaded well in time.

IOIN stands disposed off.

July 08, 2025

Ithlesh/Harish Kumar

**(MAHABIR SINGH SINDHU)
JUDGE**