



CWP-PIL-238-2026 (O&M)

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

Reserved on: 14.09.2026

Pronounced on: 05.10.2026

Uploaded on: 05.10.2026

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

CWP-PIL-238-2026 (O&M)

NIKHIL SARAF

..PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

**CORAM:- HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Nikhil Saraf (*petitioner-in-person*).

Mr. Rohit Sud, President with
Mr. Aashish Bishnoi, Vice President,
Mr. Parampreet Singh Bajwa, Secretary,
Ms. Kirandeep Kaur, Joint Secretary and
Mr. Ashish Rana, Treasurer
for Punjab and Haryana High Court Bar Association.

Mr. Vikram Chaudhari, Senior Advocate,
Mr. Chanchal K. Singla, Addl. A.G., Punjab assisted by
Mr. Ferry Sofat, Addl. A.G., Punjab,
Mr. Keshavam Chaudhari, Advocate,
Mr. Rishab Tewari, Advocate,
Ms. Diya Bhagwan, Advocate and
Ms. Kavita Joshi, Advocate
for State of Punjab.

Mr. Satya Pal Jain, Addl. Solicitor General of India with
Ms. Saigeeta Srivastava, Senior Panel Counsel
for respondent No.4-MHA.

Mr. Satya Pal Jain, Addl. Solicitor General of India,
Mr. Zoheb Hossain, Senior Advocate
(through video conferencing) assisted by
Mr. Lokesh Narang, Senior Panel Counsel
for respondent No.5-E.D.



Mr. Ravi Kamal Gupta, Advocate
for respondent No.6-CBI

ASHWANI KUMAR MISHRA, C.J.

1. This Public Interest Litigation (**PIL**) is filed by an Advocate practicing before this Court. He has raised other causes involving public interest earlier. The cause raised in this petition relates to involvement of senior officers of the State of Punjab in various scams, including cash for transfers; cash for getting favourable policies; cash for tenders; and such other serious irregularities regarding which no investigation is held notwithstanding sharing of information, in this regard, with the Punjab Police by Enforcement Directorate (**ED**). Reliance is placed upon certain newspaper reports suggesting that the ED has collected material implicating senior officers of the State of Punjab in the above-referred activities and that despite repeated communications sent to the State of Punjab, highlighting such facts and asking for lodging of a First Information Report (**FIR**) no such FIR is lodged despite expiry of sufficient period and instead, an attempt is being made to shield these officers on account of their high-ranking positions in the State administration by destroying available evidence.

2. The petition was initially heard on 27.08.2026 when following orders were passed:-

“1. The petitioner is a practising lawyer, who has filed the present petition alleging that senior officers of the State of Punjab are involved in various scams including cash for transfers; cash for getting favourable policies; cash for



tenders, and such other illegal activities. The petitioner also states that communications have been sent by the Enforcement Directorate under section 66(2) of the Prevention of Money-Laundering Act, 2002 to the State of Punjab, and despite such facts as well as other facts of corruption in high public office, having been highlighted by the petitioner also, no action is being taken in the matter:

2. An objection is taken to the maintainability of the writ, by the learned Advocate General, Punjab, questioning the credentials of the petitioner:

3. Learned senior counsel representing respondent No.5 states that three communications have been sent to the Director General of Police, Punjab on 24.07.2026, 31.07.2026 and 07.08.2026 by the E.D., which are on similar lines as is alleged by the petitioner.

4. Notice of motion.

5. Mr. Maninder Singh Garcha, Addl. Advocate General, Punjab, accepts notice on behalf of State; Ms. Saigeeta Srivastava, Advocate accepts notice on behalf of respondent No.4-UOI; Mr. Lokesh Narang, Sr. Panel Counsel, accepts notice on behalf of respondent No.5-E.D.; and Mr. Ravi Kamal Gupta, Advocate, accepts notice on behalf of respondent No.6-CBI.

6. Before we proceed to take cognizance of the grievance raised in the present PIL, it would be appropriate to call upon the counsel representing respondent No.5, to place before the Court the communications sent to the DGP, Punjab, as is alleged by the petitioner. If such communication is sent, we would also like to know from the Advocate General, Punjab, as to what stand/action is proposed to be taken by the State police and the State itself.

7. We may observe that the nature of allegations made are serious and would require a careful response from the



respondents.

8. *List on 03.09.2026.”*

3. In compliance of the aforesaid directions, a short reply has been filed on behalf of the ED annexing therewith material in their possession, implicating senior officials of State of Punjab in connivance with a private individual, which has already been shared with the Punjab Police, with request to lodge an FIR. The affidavit supports the petitioner's plea.

4. Reply has also been filed in the matter by the Central Bureau of Investigation stating that it shall abide by any directions that may be issued by this Court for the investigation in the matter.

5. The State of Punjab has filed an affidavit raising preliminary objection as to the maintainability of this PIL. However, despite notice issued in the matter no written statement is filed by the State on merits of the issue raised. A note dated 10.09.2026 has however been shared with the Court intimating the steps taken by the Punjab Bureau of Investigation (**PBI**) in the matter, with prayer to grant three weeks' further time to complete the ongoing investigation.

6. The petitioner has disputed the version of State and reiterated that this PIL is instituted in genuine public interest. Petitioner has also highlighted that enraged by filing of this petition and issuance of notice in it, the State has resorted to vindictive measures by ordering demolition of petitioner's construction. The Bar Association of Punjab and Haryana High Court had to intervene in defence of the petitioner and but for intervention of the Court the whistleblower would have been silenced.



7. The PIL has been vehemently opposed by the State of Punjab on the following grounds:-

- a. The PIL has not been filed in genuine public interest and is liable to be dismissed;
- b. In the event an FIR is not registered despite the sharing of information by the ED with the Punjab Police under Section 66(2) of the Prevention of Money Laundering Act, 2002 (for short, the '*Act of 2002*'), it is for the ED to take appropriate measures for the registration of an FIR, and the petitioner has no locus to intervene in the matter;
- c. The ED took almost three months to share the information with the Punjab Police, and therefore there is no delay on the part of the Punjab Police in examining the material shared with it, and the State since is in the process of scrutinizing such material a further period of three weeks be allowed to it to ascertain veracity of the shared material;
- d. The action of demolition of the petitioner's farm stay was taken by the statutory authority on the basis of a Show Cause Notice issued to the petitioner in the year 2024, and such action taken as per law cannot be treated as an act of vendetta, as is attempted to be projected by the petitioner;
- e. The petitioner's credentials are also questioned to assert that the filing of successive PILs is with an intent to insulate



the petitioner from legal actions initiated by the authorities from time to time;

f. The PIL has been filed at political instigation with an attempt to defame the State Government and is liable to be rejected.

8. Learned Senior Counsel for the State of Punjab has questioned the credentials of the PIL writ petitioner to submit that the writ petition is liable to be dismissed as being not maintainable. Prayer is also made to decide preliminary objection of State related to maintainability of writ before the merits of the matter are touched upon by the Court. Following submissions are made by the State in their written submissions, which are reproduced:-

The crux: the Petitioner is a stranger and has no locus:

1.1 A stranger asks this Hon'ble Court to compel the registration of a criminal case against public servants. He is neither the author of the communication he relies upon, nor its recipient, nor its subject.

1.2 A stranger cannot meddle. Ayaubkhan Noorkhan Pathan v. State of Maharashtra, (2013) 4 SCC 465, paras 9-10 'a stranger cannot be permitted to meddle in any proceeding unless he shows that he falls within the category of aggrieved persons'; the existence of a judicially enforceable right is a condition precedent for invoking the writ jurisdiction.

1.3 Least of all in a criminal cause. Simranjit Singh Mann v. Union of India, (1992) 4 SCC 653, paras 4-6 a third party has no locus to set the criminal jurisdiction in motion. Divine Retreat Centre v. State of Kerala, (2008) 3 SCC 542,



paras 33-35 and 41-42 the High Court cannot, at the instance of a stranger, direct an investigation or take over the investigating agency's function.

1.4 Credentials are verified before, not after, entertainment. See. State of Uttaranchal v. Balwant Singh Chaufal, (2010) 3 SCC 402, paras 143 and 181(1), (3), (4), (7) and (8); Ashok Kumar Pandey v. State of W.B., (2004) 3 SCC 349, paras 12 and 14; Dr. B. Singh v. Union of India, (2004) 3 SCC 363, paras 14-15; Janata Dal v. H.S. Chowdhary, (1992) 4 SCC 305, paras 98, 109 and 110.

1.5 The Petitioner's own record, and the disclosure he has made of it. An Advocate, he has instituted at least nine petitions in public interest before this Hon'ble Court CWP-PIL No.190 of 2019; CWP-PIL No.34 of 2020; CWP-PIL Nos.64 and 69 of 2021; CWP-PIL-98-2025 (17.07.2025) with RA-CW-332-2025 (26.08.2025), where he was held a stranger; CWP-PIL-59-2026 and CWP-PIL-60-2026 (both 13.03.2026); and CWP-PIL-183-2026. The disclosure made in the present petition is selective: the petitions in which this Hon'ble Court declined to entertain him and relegated him to his alternative remedy find no mention at all. The pattern is invariable a representation, followed at once by a petition, without awaiting the decision he asks the authority to take. Disclosure of antecedent litigation is not a formality; it is the condition on which this jurisdiction is exercised: Balwant Singh Chaufal, paras 181(1) and (3).

1.6 CWP-PIL-60-2026 is indistinguishable from the present cause. The grievance there was that no case had been registered although the Competent Authority had been informed of cognizable offences under the PC Act, the PMLA and the BNS. It was dismissed as premature, this Hon'ble Court recording that "even no application by the petitioner has been filed before the Competent Authority seeking prior



approval under Section 17-A of the Prevention of Corruption Act, 1988" (paras 3 and 4), with liberty only to file a complaint under the BNSS. He took that liberty. In his own complaint, COMA No.6 of 2026 before the learned Special Judge, CBI Court, Chandigarh, he was called upon by order dated 27.05.2026 to place the s. 17-A approval on record by 09.09.2026, till when neither his application nor his preliminary evidence would be taken up. The present petition was filed on 24.08.2026, in that very interval, and seeks by writ precisely what the learned Special Judge has held he cannot have without approval.

1.7 The credentials pleaded are incomplete. The petition discloses the Petitioner's status as a practising Advocate, and nothing further. In fact as the record now placed before this Hon'ble Court establishes he is the proprietor of two concerns carrying on the business of farm-stays, "Forest Organic Farm" and "The Nest", and holds a commercial liquor licence in the name of Forest Organic Farm, his sole proprietary concern. The income-tax returns annexed to the petition disclose no such commercial activity, and no income derived from it, though entries of tax deducted at source referable to travel booking portals do appear in them. A petitioner who invites this Hon'ble Court to act upon the credentials of others is bound to state his own, fully and at the outset.

1.8 Nor is that omission academic. From 2024 onwards, and antecedent to the present petition, proceedings have been under way in respect of the Petitioner's commercial activities for violation of the farm-stay policy and of the applicable GMADA rules. The State places that chronology on record now, in candour, so that the sequence is before this Hon'ble Court rather than being urged hereafter as a grievance.



Where a petitioner in public interest carries an unstated interest of his own, the jurisdiction is not available to him.

1.9 The remedies said to be unavailable have in fact been availed - and against these very Respondents. The Petitioner has moved applications under s. 156(3) Cr.P.C. and instituted complaints before the competent courts, in which he has arrayed public servants of every rank, including the Director General of Police, Punjab i.e. Respondent No. 2 to the present petition, and the very officer to whom the DoE's communication of 30.07.2026 was addressed. Two consequences follow. First, the premise of this petition that there is no remedy against inaction is falsified by his own conduct; if action were to follow from the material he relies upon, it could have been sought in those proceedings, and earlier. Secondly, a litigant separately prosecuting, in his own name, the very officer against whom he now seeks a mandamus is not the disinterested representative of the public which this jurisdiction presupposes.

1.10 The foundation is media material and a document of undisclosed origin. Newspaper reports are hearsay and prove nothing: Laxmi Raj Shetty v. State of T.N., (1988) 3 SCC 319, para 26; Quamarul Islam v. S.K. Kanta, 1994 Supp (3) SCC 5, paras 47-48. On annexing official documents without disclosing how they were come by, and on a member of the Bar lending his name to such a petition: Dattaraj Nathuji Thaware v. State of Maharashtra, (2005) 1 SCC 590, paras 4, 14, 16 and 20.

1.11 Annexure P-5 is not a "part letter". A comparison of Annexure P-5 @ page 60 (communication dated 30.7.2026) with Annexure A-1 @ page 5 of the Directorate's Reply dated 31.08.2026 shows the two to be the same communication, with only the letterhead removed. The removal of the letterhead, coupled with the description of the document as a



"part letter", is misleading. Suppression and clean hands: Kishore Samrite v. State of U.P., (2013) 2 SCC 398, paras 33 and 36-39; K.D. Sharma v. SAIL, (2008) 12 SCC 481, paras 34, 36, 38 and 39; S.P. Chengalvaraya Naidu v. Jagannath, (1994) 1 SCC 1, paras 5-6; Amar Singh v. Union of India, (2011) 7 SCC 69, paras 50-53; Kalyaneshwari v. Union of India, (2011) 3 SCC 287, paras 39 and 43.

1.12 A stranger's PIL is not the vehicle for litigating s. 66(2). Ashok Kumar Singh v. Union of India, W.P. (C) 5930/2024 (Delhi, DB, 29.04.2024), paras 2 and 4-6-a PIL seeking a declaration on the Directorate's powers under s. 66 was refused at the threshold, on the Directorate's own objection that it espoused a private cause.

1.13 In any event, there is an alternative remedy for anyone who genuinely apprehends non-registration. Sakiri Vasu v. State of U.P., (2008) 2 SCC 409, paras 11 and 25-28; Sudhir Bhaskarrao Tambe v. Hemant Yashwant Dhage, (2016) 6 SCC 277, paras 2-3; M. Subramaniam v. S. Janaki, (2020) 16 SCC 728, paras 6-7. A writ petition is not the first port of call - much less a stranger's writ petition.

1.14 The cumulative effect, and costs. The cause of action pleaded is an inter-se communication between two agencies, to which the Petitioner is a stranger in every sense. To that want of locus is added incomplete disclosure of his own credentials, selective disclosure of his own litigation, an undisclosed commercial interest against which action was already under way, and parallel proceedings of his own against the same officers. Where a petition styled as public interest is founded on such material, it is to be dismissed with exemplary costs: Balwant Singh Chaufal, paras 143 and 181(8); Dattaraj Nathuji Thaware, para 20."



9. Written submissions have also been filed by the petitioner, the State of Punjab, and the ED, along with compilations of judgments in support of their respective pleas.

10. We have heard Mr. Nikhil Saraf, Petitioner-in-person, Mr. Rohit Sud, President and Mr. Parampreet Singh Bajwa, Secretary, Punjab and Haryana High Court Bar Association, Mr. Vikram Chaudhari, Senior Advocate with Mr. Chanchal K. Singla, Senior Advocate/Addl. A.G., Punjab assisted by Mr. Ferry Sofat, Addl. A.G., Punjab and Mr. Keshavam Chaudhari, Advocate for State of Punjab, Mr. Satya Pal Jain, Additional Solicitor General of India, Mr. Zoheb Hossain, Senior Advocate assisted by Mr. Lokesh Narang, Sr. Panel Counsel for the ED and Ms. Saigeeta Srivastava, Senior Panel Counsel for respondent No.4-MHA/Union of India, Mr. Ravi Kamal Gupta, Advocate for respondent No.6-CBI.

11. On the basis of the respective submissions advanced at the bar, the following questions arise for our consideration.

- (i) Whether petitioner is a public-spirited person and has raised cause in public interest?
- (ii) As a sequel to the above question, we are required to determine whether the non-registration of an FIR on the basis of information shared by the ED under Section 66(2) of the Act of 2002 gives cause only to the ED to take appropriate measures or any public-spirited person can approach this Court for setting in



motion the process of investigation and for the transfer of the investigation to an independent agency?

- (iii) Whether the facts of the case would justify an investigation being conducted in the matter by an independent agency?

Rules Governing PIL

12. At the outset, we may note that in compliance with the directions issued by the Hon'ble Supreme Court in the case of *State of Uttarakhand v. Balwant Singh Chaufal, 2010 (3) SCC 402* rules have been framed by this Court titled as *Maintainability of Public Interest Litigation Rules, 2010* (for short, the '*PIL Rules of 2010*'). Rule 2 of the PIL Rules of 2010 mandates that no public interest litigation shall be entertained by the Registry unless the petitioner has specifically disclosed his credentials and his direct or indirect personal motive or interest involved in the case, if any, by way of an affidavit. Rule 6 of the PIL Rules of 2010 provides that ordinarily a PIL may be entertained on any subject of vital public importance, such as:

- (a) Bonded Labour matters.
- (b) Neglected Children.
- (c) Petitions from riot victims.
- (d) Petitions complaining of harassment or torture of persons belonging Scheduled Castes, Scheduled Tribes and other Backward Classes by the others or by the police.
- (e) Petitions pertaining to environmental pollution, disturbance of ecological balance, forests, and wildlife
- (f) Complaints involving the violation of human rights.

**Petitioner's Credentials**

13. In compliance with the PIL Rules of 2010, the petitioner has filed an affidavit stating that the present PIL is liable to be entertained under Rule 6(f) of the PIL Rules of 2010, as the petition is not guided by any self-gain or for the gain of any other individual, person, institution, or body. The petitioner has asserted that there is no other motive but to subserve larger public interest in filing the present PIL. He also asserts that there is no private motive, individual gain, or private reason in filing the PIL.

14. The petitioner has further stated that he is a practicing lawyer enrolled with the Bar Council of Punjab and Haryana and is a member of the Punjab and Haryana High Court Bar Association. The credentials put forth by the petitioner in the affidavit filed in support of the present PIL, in terms of the PIL Rules of 2010, contain the following statement in paragraph 4:-

“4. That the petitioner is a citizen of India and a practicing Advocate, enrolled with the Bar Council and a member of the Punjab and Haryana High Court Bar Association. The petitioner has been actively engaged in the public domain on matters concerning governance, judicial and police reforms, gender justice, and institutional accountability. In this capacity, he has served as an advisor and associate with reputed national and international organizations, including ActionAid India, Nagrik Foundation (Dainik Bhaskar Group), Rotary Club, Eye Foundation of America and the Thomson Reuters Foundation.

The Petitioner is also the publisher of online publications Governance India, Police Corruption India, Reform



Judiciary which is a civil society initiative committed to make people aware of their rights and liberties, ensuring Constitutional governance and seeking accountability, where there's abuse of power and authority.

The platform offers assistance to victims of police abuse, documents institutional failures and highlights best international practices on issues concerning governance.

Governance India is followed by over 25000 people on the social media platform LinkedIn, from over 26 countries, most of these followers are leaders in the field of public policy, many leading global MNC's Academicians, Bureaucrats, Judiciary etc.

The Petitioner has previously filed and pursued several Public Interest Litigations before the Hon'ble Supreme Court of India and this Hon'ble Court addressing structural irregularities and statutory non-compliances within Punjab, Haryana and all across India.

The Petitioner approaches this Hon'ble Court in continuation of his long-standing commitment to public accountability in law enforcement, and in furtherance of constitutional duties placed upon every citizen under Article 51A to uphold the rule of law.

That the Petitioner has also filed a very detailed PIL on public reforms vide CWP (PIL)-151-2019. Besides the Petitioner has filed CWP (PIL)-187-2020 (On creating of fake social media accounts of Punjab Police and Modeling in Uniform), PIL-188-2020 (on desecration of Religious verse on the Punjab Police Emblem), CWP (PIL) 127 of 2021 (On officials installing Red-White+ Blue lights illegally on private and official vehicles), CWP(PIL) 202 of 2020 (on violating uniform by illegally removing the name badges and replacing it with Harjit Singh), CWP (PIL) 137-2021 (on transparency and reforms in transfers in consonance with



Supreme Courts Directions in “T.S.R. Subramaniam Vs. Union of India “(2013) 15 SCC 732, Extra Judicial Killings/Encounters in Punjab vide CWP (PIL) 48 of 2026, on Illegal Mining Scam amounting to 1000 crs vide CRM-M-58472 of 2025, CWP (PIL) 8 of 2024 on Cyber protection.

The Petitioner has been taking up various social causes in Public Interest, prominent ones Public Reforms PIL, Constitution of State and District Police Complainants Authorities, Linking of Adhaar with all property transactions to confiscate Benami properties.

The Petitioner had filed Petitions with all the State Human Rights Commission across India, for ensuring separate and clean Toilets for women in all Police establishments, Jails and Courts, more than 14 of the Hon’ble State Human Rights Commission all over India had issued notice/orders to the respective States for compliance, it is also relevant to state that most of the Police departments have either constructed or are constructing separate and clean toilets for women in all Police establishments in these 14 States.

The Petitioner had filed Petition with all the State Human Rights Commissions across India, for ensuring that No Accused is Paraded Before the Media, many of the Hon’ble Commissions have issued notice/ordered to the respective States for compliance.

That the Petitioner has also been highlighting the cause of Judicial Collapse in India on account of procedural laws, lack of judicial infrastructure, lack of Date collation and analysis in undertaking the stages and causes for such concerning state of affairs.

That the Petitioner has also been able to get Family Courts and Human Rights Courts constituted in a few States by repeatedly raising such issues with different State Govts.”



15. The petitioner has highlighted the peculiar facts of the case to contend that the objection raised by the State is only an attempt to shield highly placed officers in the State administration and that the time gained by the State while opposing this petition is being utilized only to destroy the evidence and thereby shield the guilty. The petitioner has also placed before the Court material in support of his credentials to institute the present PIL.

The Cause

16. According to petitioner, prominent daily newspapers Hindustan Times, The New Indian Express, The Indian Express and Tribune have published reports in their respective daily on 17.08.2026 under caption 'PMLA PROBE' Article *ED Letter to DGP: Govt weighs next options on FIR request*. The e-paper edition of Hindustan Times has reported that Punjab Police Chief has sought inputs from the Bureau of Investigation on the available legal course in the matter. As per the report the ED in its communication to the Director General of Police, Punjab has alleged that one Nitin Gohal acted as an intermediary between interested persons and Rajbir Ghuman, Officer on Special Duty (OSD) to the Chief Minister in influencing transfer and postings of Government officials, leaking confidential Government documents, facilitating arms licences and securing Government approvals in lieu of alleged monetary and other benefits. In exchange, Gohal, in coordination with associates Rajbir Ghuman, Bir Devinder, Jitin Gohal alias Raja collected proceeds of crime to the tune of crores in the form of cash, land and kind.



17. The newspaper report further alleged that ED was investigating PMLA case being ECIR/JLZO/21/2024 pertaining to Ajay Sehgal and associates of M/s Indian Cooperative Housing Building Society over allegedly facilitating CLUs (change of land use) through government authorities to some real estate firms. During the probe, the agency raided the premises of Gohal. Sehgal, Suresh Kumar Bajaj and others linked to the society between May 7 and 10, during which it claimed to have recovered incriminating documents and information. The ED had also claimed to have seized Rs.1 crore in cash and recovered a bag containing 20 lakh that was allegedly thrown from a flat in a private society in Kharar owned by Gohal. According to the ED, examination of WhatsApp chats, call records and documents recovered from Gohal's devices indicated that he acted as an intermediary between persons seeking government-related favours and Ghuman. The agency also alleged that confidential draft orders and information relating to postings were shared with persons concerned before they entered the public domain. In support of its allegations, the ED has cited 21 WhatsApp chats between September 20, 2023, and March 18, 2026, relating to transfers and postings of officials from various departments, including the police, Punjab Civil Services, food and civil supplies, Markfed and the Greater Mohali Area Development Authority (GMADA). The agency has further alleged that Gohal was involved in influencing policy decisions, amendments to departmental rules, administrative approvals, tender conditions, licensing matters and other government decisions. It has cited chats that according to the agency, indicated access to confidential policy



proposals, draft administrative decisions and departmental communications, which ordinarily would not be available in the public domain. Among other matters cited by the ED are discussions relating to conditions for tenders and empanelment of manufacturers for the supply of fortified rice kernels, transfers of DSPS and tendering in Markfed. On real estate matters, the agency has alleged that Gohal intervened in land transactions, changes in land use, GMADA approvals, property disputes and other cases involving developers and private individuals. The ED has specifically referred to an alleged property transaction involving plot D-156 in Phase 7, Mohali, claiming that a substantial part of the consideration was paid in cash over and above the amount reflected in sale documents. Further, it was found that no unearned increase was charged by the Punjab Small Industries and Export Corporation Limited (PSIEC) with respect to the said transfer. Citing travel agents records, the agency further alleged that Gohal paid for air tickets and hotel stays of Rajbir Ghuman and Bir Devinder in cash. The ED has cited 11 specific chats, which, it claimed, indicated that Gohal and his associates were receiving monetary consideration, arranging payments, facilitating financial transactions, booking travel and providing other benefits in connection with transfers and postings, land transactions, policy-related work and official favours. The pattern suggests a systematic arrangement, whereby influence and access to government officials were utilized for obtaining pecuniary advantage. The ED also referred to alleged payments through a *Hawala* note number from one Karan Bhushan.

**ED's response**

18. In response to the orders passed by this Court, ED has filed a short reply stating that a letter was sent by it after approval from the competent authority, addressed to second respondent i.e., Director General of Police, Punjab on 30.07.2026 which is also placed on record. This letter is actually a reference made under Section 66(2) of the Act of 2002 for registering an FIR. It specifically states that during course of investigation of a PMLA case against Ajay Sehgal and associates in ECIR/JLZO/21/2024 searches were conducted on 07.05.2026 to 10.05.2026 on the premises of Ajay Sehgal, Nitin Gohal, Suresh Kumar Bajaj and others, wherein incriminating information/documents were recovered. WhatsApp chats and communications revealed that Nitin Gohal was regularly influencing transfers, postings, movement of officials, collection of money from interested persons and coordination with other individuals. Proceeds of crime to the tune of crores in the form of cash, land and kind was collected by Nitin Gohal in coordination with Bir Divinder, Rajbir Ghuman and Jitin Gohal aka Raja. Cash amounting to Rs.20.98 lacs was recovered from Nitin Gohal. As per this communication, Nitin Gohal installed Jitin Gohal in Chief Minister office through Dr. Romi Raja Mahajan and Rajbir Ghuman in respect of which a WhatsApp chat dated 23.01.2026 is also reproduced.

19. For alleging interference in transfers and postings of Government officers in various Government departments 21 instances are narrated by ED. In addition, 11 WhatsApp chats are relied upon to observe that Nitin Gohal was actively involved in matters relating to



policy formulation, amendment to departmental rules, administrative approvals, tender conditions, licencing matters and other Government decisions. The chats indicated access to confidential policy proposals, draft administrative decisions and departmental communications which ordinarily would not be available in public domain. Role of Nitin Gohal in procuring arms licence was also highlighted with reference to 7 chats. The ED communication also referred to 6 chats suggesting that Nitin Gohal was involved in discussions and coordination relating to land transactions, CLU matters, demarcation proceedings, property disputes, housing schemes and other land-related issues indicating access to sensitive information concerning land records, revenue matters and Government approvals. The communication also contained 4 chats indicating unauthorized access and leakage of confidential Government information as well as 11 chats relating to payments, kickbacks and other benefits received in lieu of official favours/work. One of the WhatsApp chat is from Dir.Hort.Shailendra K intimating that 100 is paid and rest will be given. It also contained reference to purchase of properties out of funds collected from favours/corruption. Nitin Gohal also arranged for air tickets and hotel stays for Bir Divinder and Rajbir Ghuman which was paid in cash by Nitin Gohal and ledger submitted by travel agent in this regard was annexed along with the communication of ED. The letter also alleged acts constituting violation of Official Secret Act, Prevention of Corruption Act etc. This letter contains 26 annexures running into more than 150 pages.



20. The affidavit also contains a report, as per which the letter of ED dated 30.07.2026 was attempted to be delivered by hand on 31.07.2026 at 12:15 pm in the office of Director General of Police, Punjab. As per the service report, this communication though was received by one Barinder Pal Singh but no receipt was issued despite request made by the ED officials.

21. It transpires, that aforesaid letter of ED dated 30.07.2026 was not acknowledged nor any response on it was received and therefore the ED sent first reminder on 07.08.2026. Tracking report has been annexed to demonstrate that this letter was delivered.

22. From the materials placed on record before the Court, receiving of ED letter dated 30.07.2026, by the office of DGP, Punjab, is not disputed. Its reminder is also not disputed. No reply to these two letters were sent by Punjab Police to ED. As per newspaper reports, the Police authorities were apparently examining the course available to them in the matter.

23. It is in this context that the present PIL came to be filed by the petitioner praying for referring the dispute to Central Bureau of Investigation as the Punjab Police was allegedly trying to shield highly-placed State officials while refusing to register an FIR and conduct investigation.

Response of Punjab Police

24. Notices were issued in the petition to the State/Punjab Police on 27.08.2026. Till then, no reply was sent by Punjab Police to ED nor any FIR was lodged.



25. On the very next day i.e., 28.08.2026 a letter has been sent by AIG/Investigation on behalf of Director, Punjab Bureau of Investigation, Chandigarh acknowledging receipt of ED letter dated 30.07.2026. This letter is reproduced in its entirety:-

*“Shri Akshay Kumar,
Assistant Director,
Directorate of Enforcement,
Jalandhar Zonal Office,
J. D. Square, 1, 2 & 3, New Colony, Cool Road,
Jalandhar (Punjab)-144001.*

No. 7681/Inv-2 dated Chandigarh the: 28.08.2026

Subject: Reference your office communication forwarded vide File No.ECIR/JLZO/21/2024/Unit-4(2)/1368 dated 30.07.2026 sent to the office of Director General of Police, Punjab.

Memo:

This is to bring to your kind notice that through the said communication information under Section 66(2) of the Prevention of Money Laundering Act, 2002 has been shared along with certain material. On the information provided, the process of examination, verification and assessment has been initiated for taking appropriate action in accordance with law.

From the material provided, it is observed that the chats/screenshots annexed with the communications are, in substantial part, not fully legible or clearly discernible. A considerable portion of the material appears to consist of screenshots/photographs of chats, the contents of which cannot be properly read or understood from the copies furnished and in some pages the message content is obscured altogether. Illustratively, the extraction pages falling under Annexure E and portions of Annexure B and Annexure C cannot be read. Consequently, the exact contents, context,



sequence and identity of the participants in several of the chats cannot be satisfactorily ascertained from the material presently supplied alongwith the communications.

Furthermore, substantial portion of the material referred in the communications consists of electronic records including data purported to have been retrieved from digital devices, storage media, and communication applications. Such material can be appropriately examined and relied upon only after its authenticity, integrity, chain of custody, and method of retrieval are duly established and the requirements relating to admissibility of electronic records under Section 63 of the Bharatiya Sakshya Adhiniyam, 2023 are duly complied with.

It is therefore requested that a duly authorised officer of your office well conversant with the record may be deputed to remain present at this office on 01.09.2026 (Tuesday) at 11:00 AM at Officers Lounge at Punjab Police Headquarters, 6th floor, Sector 9A, Chandigarh along with the complete relevant record, including the complete file, together with the material on the basis of which the opinion regarding alleged commission of cognizable offences was formed, the details of which are provided below:

- i. clear, legible and complete copies of all chats/communications relied upon, along with relevant metadata and particulars necessary to identify the sender, recipient, date, time and source of such communications,*
- ii. search and seizure memos, panchnamas, inventories, and recovery memos relating to the material relied upon;*
- iii. the entire electronic record relied upon, in original form, including the original/source data from which the screenshots or extracts have been generated;*
- iv. statements recorded of the persons named in your communications, along with their annexures, and*



v. *any material in your possession that is exculpatory or otherwise inconsistent with the allegations.*

The material requested is relevant and required to conduct the enquiry in fair and proper manner before setting the criminal law in motion. For the purpose of proper investigation, a complete data has to be analysed therefore the Directorate may supply the complete set of record for the purpose of conducting the inquiry in a proper manner. If the record is voluminous, your office may instead furnish it in a paginated and indexed form, duly authenticated, on or before the above date so that process of examination, verification and assessment can proceed without delay.

This request is made solely to ensure that the enquiry is conducted fairly, on a complete, legible and verified record, and in a manner that can withstand judicial scrutiny.

Your cooperation in this matter is solicited.

Sd/

*(AIG/Investigation)
for Director,*

Punjab Bureau of Investigation Chandigarh”

26. The counsel appearing for State of Punjab has submitted that all the documents shared by ED with Punjab Police were not legible and none came forward from office of ED to visit the Punjab Police on 01.09.2026 with complete relevant records including complete file together with material, on the basis of which alone any opinion regarding commission of cognizable offence could be formed.

27. Although, no reply on merits has been filed by Punjab Police in the matter but a note has been shared by its Senior Counsel with the Court containing narration of steps taken on receipt of ED letter dated 30.07.2026. The contents of this note are reproduced:-



Sr. No.	Date	Steps taken by Punjab Bureau of Investigation
1	3.8.2026	i. Communication dated 30.07.2026 sent by ED received in office of Director General of Police, Punjab on 03.08.2026. ii. Aforesaid communication dated 30.7.2026 was marked by Director General of Police, Punjab to Punjab Bureau of Investigation ('BoI')
2	5.8.2026	Discussion regarding the aforesaid letter dated 30.7.2026 received from ED held by AIG/Investigation with the Law Officers of BoI.
3	6.8.2026	Annexures attached with communication from ED perused and examined.
4	7.8.2026	Discussions held regarding preliminary assessment pertaining to opinion and conclusions drawn by the ED with their respective linkages and connection to various Annexures attached with communication.
5	8.8.2026	Communication in entirety examined from the legal perspective as regards the provisions of PMLA (Section 66(2)) vis-a-vis the duty of the recipient investigating agency in the wake of the cognizable offences as discerned by the ED. As also to examine whether screenshots of Whatsapp chats could be relied upon without the requisite compliance of statutory provisions as well as the obligations cast U/s 17-A PC Act, 1988; scope of Lalita Kumar's case and the mandate of Sections 173(3) & 175(4) BNSS, 2023 and law with respect thereto.
6	11.8.2026	i. Notice issued to Sh. R. S. Dhaliwal, CGC University to decipher the nature of Chat at Annexure F regarding 'transfer karva dita sari payment check karu 30 mint vich' 'payment received.... Thanq so much sir'. ii. Notice issued to Smt. Shailendra Kaur, IFS, Director, Directorate of Environment and Climate



		<i>Change, Punjab to decipher the nature of Chat at Page 20 of Statement u/s 17 PMLA of Shri Nitin Gohal in Question 57 regarding 'Already given 100, rest with bee given'.</i>
7	12.8.2026	<i>Notice issued to Sh. Nitin Gohal.</i>
8	13.8.2026	<i>Sh. R. S. Dhaliwal, CGC University was associated with the proceedings and sought time.</i>
9	14.8.2026	<i>Smt. Shailendra Kaur, IFS, Director, Directorate of Environment and Climate Change, Punjab associated with the proceedings and sought time.</i>
10	14.8.2026	<i>Notices issued to Sh. Jitin Gohal, Dr. Romi aka Raja Mahajan</i>
11	17.8.2026	<i>Nitin Gohal, Dr. Romi etc., associated with the proceedings and they sought time.</i>
12	17.8.2026	<i>Detailed discussion regarding matter and preparation of Fact Sheet.</i>
13	18.8.2026	<i>Sh. Jitin Gohal was associated with the proceedings and sought time.</i>
14	20.8.2026 and 21.08.2026	<i>In continuation of analysis of the communication in entirety including its annexures from the legal perspective, issue regarding non-legible documents discussed and examined especially when no corresponding material for certain offences as opined in the communication of the ED including the IPC which stood repealed w.e.f., 01.07.2024 and Official Secrets Act and therefore, to decipher as to the occurrences if any, that may have taken place prior to 1.7.2024 for the ED opine commission of IPC offences.</i>
15	23.8.2026 and 24.08.2026	<i>Back to back meetings with Secretary, General Administration Department to seek a coordinated expeditious response from various respective departments/officers which find mention in chats appended with the communication and/or in the formulation of opinion by ED.</i>



16	24.8.2026	Letters written to 29 Departments/Officers seeking requisite information regarding communication received from ED.
17	25.8.2026	Notices issued to the following persons whose names appear in the chats:- i. Bir Divinder ii. Jaskaran Singh iii. Navneet Vicky iv. Bahal
18	27.8.2026	The following appeared and upon being confronted and questioned with the respective chats etc., sought time to submit written statements:- i. Bir Divinder ii. Jaskaran Singh iii. Navneet Vicky iv. Bahal
19	27.8.2026	The preliminary analysis of the received communication and evaluation of the related documents as well as replies received revealed various discrepancies and anomalies in the information/material/documents forwarded by ED U/s 66(2) of PMLA which were flagged and complied.
20	28.8.2026	Letter written to Sh. Akshay Kumar, AD/ED with request to depute duly authorized officer well conversant with the record and legible documents to visit the officer's lounge of Punjab Bureau of Investigation on 1.9.2026 at 11:00 AM.
21	1.9.2026	No responsible fact knowing official from ED appeared. However, an e-mail received from ED at 2:08 PM alongwith letter dated 31.8.2026 (sans annexures)
22	2.9.2026	Another E-mail dated 2.9.2026 at 1:21 PM received from ED alongwith letter dated 31.8.2026 and Annexures B. C and E containing chats, other documents like seizure memo, certificates U/s 63(4)(c) BSA, 2023 etc. As also, a link was given



		so as to download the complete documents i.e., (https://workdrive.mgovcloud.in/folder/0gc1h6472941ab-b3147f1a5d18e0c79b5d7e).
23	2.9.2026	The documents were still illegible and the link provided did not open. This office clicked on the said e-link sent by the Enforcement Directorate through email dated 02.9.2026 at 01:20 PM (received at 01:31 PM) to retrieve the entire material/documents when it was first prompted to enter NIC email ID. After entering the user ID and password of NIC email account, the following message appeared:- “This link is no longer valid. The link may have expired been removed or your may no longer have access to it. Please contact the link owner for additional details.”
24	2.9.2026	Another request vide 2 nd reminder Letter dated 2.9.2026 was made to Sh. Akshay Kumar, AD/ED, to depute fact knowing official to visit on 3.9.2026.
25	2.9.2026	Vide Order dated 2.9.2026 a Committee comprising Computer and Digital Forensic Officers (CDFOs) was constituted under Sh. Gurbakshish Singh, PPS, Deputy Superintendent of Police, BoI to look into the discrepancies in the following:- i. Digital evidence and collection form; ii. Chain of custody form; iii. Work activity report. iv. Part A and Part B Certificates U/s 63(4)(c) of BSA.
26	3.9.2026	A reply dated 3.09.2026 was received from the ED which was examined. No fact knowing official from Directorate of Enforcement visited this office on 03.09.2026.
27	4.9.2026	Letter written to PSIEC for supply of following documents:- i. Practice and Policy regarding unearned increase



		along with fact-sheet in chronological order; ii. Whether unearned increase is levied in transfer of leasehold plots and replaced with transfer fee.
28	5.9.2026	<u>Third reminder letter</u> No.7838/Inv.-2 dated 05.09.2026 was issued to Sh. Akshay Kumar, Assistant Director, Directorate of Enforcement to depute an official well conversant with the facts of the case to visit on 07.09.2026 (Monday) at 3:00 PM alongwith complete material and documents u/s 66(2) of PMLA.
29	5.09.2026	Notices issued to the following persons whose names figured in the chats:- i. Chuspinder Singh Chahal ii. Pritpal Singh Dhindsa iii. Kamalpreet Singh
30	7.9.2026	3 E-mails received from ED, as follows:- a. At 2:51:07 PM enclosing the Annexures A to D pertaining to the letter dated '31.7.2026' (30.7.2026? sic) ; b. At 2:51:23 PM enclosing the Annexures pertaining to the letter dated 31.8.2026; c. At 2:51:25 PM enclosing the Annexures E to Z pertaining to the letter dated '31.7.2026' (30.7.2026? sic) ii. Examination of E-mail received from ED along with letter dated 31.7.2026 with enclosures from Annexure A-D (from pages 1-81). iii. Examination of E-mail received from ED containing statement of Nitin Gohal along with technical forms including work activity report, detailed evidence collection form, chain of custody form, Schedule-A, & Part-A & B of the Certificates. iv. Examination of E-mail received from ED with Annexures E-Z (from pages 82-157).



		<i>v. Letters written to 24 Departments with request to check if there was any confidential/secret document with respect to the inferences drawn in the communication dated 30.7.2026 (alongwith annexures) received from ED for invocation of Official Secrets Act, 1923.</i>
31	8.9.2026	<i>The following persons appeared and upon confronted with the materials, sought time to respond:- i. Chuspinder Singh Chahal ii. Pritpal Singh Dhindsa iii. Kamalpreet Singh</i>
32	9.9.2026	<i>Documents received from PSIEC regarding unearned increase policy and transfer fee.</i>
33	9.9.2026	<i>Report submitted by the aforesaid Committtee of CDFOs re: chain of custody.</i>

28. It is in the above factual background that we are required to determine the question as to whether this PIL petition is liable to be entertained or not?

Petitioner’s credentials-Analysis

29. So far as credentials of petitioner are concerned, an affidavit has been filed by the petitioner stating that he is a public-spirited person and has been raising causes involving public interest, from time to time. It is highlighted by the petitioner that he is actively engaged in affairs concerning public domain relating to governance, judicial and police reforms, gender justice and institutional accountability. The petitioner has also been associated with various organizations of which reference is given in para 4 of the affidavit filed in terms of PIL Rules of 2010. The petitioner has also asserted that he is the publisher of online publications



Governance India, Police Corruption India and Reform Judiciary which are initiatives of civil society to protect right of citizens and ensure constitutional governance.

30. The first PIL petition filed by petitioner is of the year 2019 regarding Police Reforms followed with petition filed in the year 2020 regarding creation of fake social media accounts of Punjab Police; Desecration of Religious Verse on Punjab Police Emblem; Filing of writ objecting to use of beckon lights on private and official vehicles; Transparency and reforms in transfers; filing of PIL regarding fake encounters and illegal mining scam etc.

31. The assertions made in para 4 of the affidavit would clearly indicate that the writ petitioner has been raking up issues in public interest for the last nearly 7-8 years by filing various writ petitions. The petitioner is otherwise an Advocate and a member of the Punjab and Haryana High Court Bar Association. He also claims to be publishing several online journals relating to governance and seeking accountability. Credentials of petitioner have thus been sufficiently established on the strength of materials placed before us in this writ petition.

32. Additionally, the petitioner has asserted that after he filed the present PIL petition seeking probe against highly-placed State officials on account of corruption in high public office a vendetta is unleashed against him with an intent to silence the whistleblower.

33. On behalf of the State of Punjab, it is asserted that the disclosure in the present PIL is selective inasmuch as the petitioner has not disclosed that in CWP-PIL-98-2025, filed by the petitioner, the



Division Bench of this Court had refused to interfere on the ground that if any offences involving moral turpitude are committed by the officers, then the remedy would be to approach the concerned Magistrate under Section 156(3) CrPC.

34. It is also asserted that petitioner has not disclosed that CWP-PIL-60-2026 filed by the petitioner, raising similar grievance, as is raised in this matter, the PIL was not entertained by observing as under:-

“1. This Public Interest Litigation (PIL) has been filed, essentially raising the alleged public cause, that despite informing the concerned Competent Authority about the commission of cognizable offences punishable under the Prevention of Corruption Act, 1988, Prevention of Money Laundering Act, 2002 and Bharatiya Nyaya Sanhita, 2023, no case has yet been registered.

2. The grievance of the petitioner is that despite having moved representation to respondent No.3-Chief Director, Punjab Vigilance Bureau, vide Annexure P-2, no action thereon has been taken.

3. Perusal of record would reveal that the aforesaid representation (Annexure P-2) has been preferred by the petitioner on 31.10.2025 and no final decision thereon has been taken as yet. Even no application by the petitioner has been filed before the Competent Authority seeking prior approval under Section 17-A of the Prevention of Corruption Act, 1988.

4. In view of the above, the present petition, being premature, is hereby dismissed.”

35. So far as the filing of the above two petitions are concerned, we find that the petitioner had made allegations against certain officers of moral turpitude and of offences of money laundering and corruption etc.



The first petition was not entertained primarily for the reason that even *prima facie* factum of alleged offence was yet to be established and the remedy under Section 156(3) could be availed. In the other matter, the State had not yet accorded sanction under the Prevention of Corruption Act and thus the petition was held to be premature.

36. Unlike the above two matters, the petitioner has not only made serious allegations of corruption in high-State office but has also contended that the State is trying to shield its officers by not registering FIR despite sharing of information by ED with it under Section 66(2) of the PMLA Act.

37. We are not impressed by the objection of the State to the maintainability of this petition on the ground that two earlier petitions of the petitioner were not entertained by this Court for the reasons noticed above. Those two cases were on the facts of its own and do not lay down any principle of law which goes against the petitioner in maintaining the present PIL. Each PIL has to be considered on its own merit. Refusal by this Court to entertain two PILs filed by the petitioner would not mean that the petitioner cannot maintain the present PIL if the facts and circumstances of the present case so warrants. It is otherwise undisputed that petitioner has filed several other PILs which have been entertained depending upon the merits of the cause brought before the Court. The objection of the State to the filing of present PIL on account of refusal by this Court to interfere in two other PILs filed by the petitioner, in respect of distinct cause, must therefore fail.



38. The State has also challenged the petitioner's credentials on the ground that though he claims himself to be a practicing Advocate, but, he is running commercial enterprise in respect of which objections/dispute were raised and the present petition is apparently filed to pressurize the State officials from taking legal steps against him.

39. On this aspect, it transpires that petitioner is running a farm stay over his agricultural land measuring 1.1313 hectares in village Kubaheri, Block Majri, Tehsil Kharar, District Mohali pursuant to a Farm Stay Policy, 2021 floated by Department of Tourism, Government of Punjab. Petitioner applied for registration under the Scheme on 19.01.2022 and various licences under FSSAI, Excise Licence etc., have been issued in his favour for running of farm stay in the name of Forrest Organic Farm *The Nest*.

40. It is the case of the petitioner that after he raised issues of illegal mining in the area certain proceedings came to be initiated against his farm stay at the instance of certain influential crusher units. A writ petition was filed by petitioner's father who retired as Colonel from Indian Army in 2024. He also filed a contempt petition. Documents in this regard along with the petitions filed by the petitioner have been placed before the Court during the course of hearing, which are part of the records in the present proceedings.

41. The farm stay of the petitioner is functional for the last nearly 5-odd years. A notice apparently was issued by GMADA to the petitioner alleging violation of Farm Stay Policy as also violation of construction norms in November, 2024. The petitioner gave a detailed



reply objecting to the notice by contending that farm stay was being run with due permission and there was no violation of building norms nor any provision of the Farm Stay Policy has been violated. The reply to the notice was thus submitted by the petitioner in 2024 itself. Neither any order came to be passed on petitioner's objection nor any speaking order was passed holding the petitioner liable for violation of Farm Stay Policy. This continued to be the position till filing of the present petition.

42. An application came to be filed on behalf of the PIL petitioner by the office bearers of Punjab and Haryana Bar Association late in the evening hours of 04.09.2026 stating that an *ex parte* demolition notice has been issued to the petitioner on 03.09.2026 regarding his farm stay, which was to be demolished on the next early morning. Along with this application, the demolition notice issued by Greater Mohali Area Development Authority (GMADA) was also annexed and is extracted hereinafter:-

***“GREATER MOHALI AREA DEVELOPMENT
AUTHORITY***

*Sahibzada Ajit Singh Nagar
(Regulatory Branch)*

To,

*Nikhil C/o Forest Farm,
Village Kubbaheeri, Tehsil Majri,
District S.A.S. Nagar,
Memo No.DTP (R)-2026/2268
Dated: 02/09/2026*

Subject: *Regarding demolition of unauthorized construction being carried out in violation of the Punjab Regional and Town Planning and Development Act, 1995 and the Punjab New Capital (Periphery) Control Act, 1952-*



issuance of an Office Order (Speaking Order) regarding the said unauthorized construction.

With reference to the above-mentioned subject, a Show Cause Notice No.6808 dated 26.11.2024 was issued to you.

In this regard, the reply submitted by you was considered by the competent authorities, and an Office Order (Speaking Order) has been issued.

A copy of the said order is enclosed herewith and is being sent to you.

Sd/-

District Town Planner (R)

S.A.S. Nagar

Memo No: DTP (R)-2026/2269

Dated: 02/09/2026

Copy of the above is forwarded to:

Directorate of Tourism, Government of Punjab, Plot No.3, Dakshin Marg, Sector 38-A, Chandigarh, for information and necessary action.

Sd/-

District Town Planner (R)

S.A.S. Nagar”

43. The petitioner asserted that no speaking order was actually attached with the aforesaid notice and the demolition order was passed only to silence his voice.

44. Notice was also issued by Punjab Heritage and Tourism Promotion Board at 10:34 am on 03.09.2026 calling upon the petitioner to appear for personal hearing at 05:00 pm on 03.09.2026 which is extracted hereinafter:-

“Sir,

This is with reference to your e-mails dated 31.08.2026 and 02.09.2026 submitted in response to Show



Cause Notice No. PHTPB/MP/2026/3079 dated 31.08.2026 issued in the captioned matter.

In this regard, it is informed that vide the aforesaid Show Cause Notice, you were afforded an opportunity, at your discretion, either to submit your written clarification/explanation or to appear in person before the Director, Tourism & Cultural Affairs, Punjab, along with any supporting documents, within a period of three (03) days from the date of receipt of the said notice. For ready reference, the relevant extract of the Show Cause Notice is reproduced below:

"Accordingly, you are hereby called upon to submit your written clarification/explanation or may appear in person before the Director, Tourism & Cultural Affairs, Punjab at Plot No. 3, Sector 38- A, Chandigarh, along with the supporting documents, if any, within 3 (three) days from the date of receipt of the notice."

It is further clarified that, in terms of the aforesaid notice, you may still avail yourself of the opportunity of personal hearing and appear in person before the Director, Department of Tourism & Cultural Affairs, Punjab, up to 5:00 PM on 03.09.2026, along with such supporting documents as you may wish to rely upon in support of your case.

Furthermore, although the allegations forming the basis of the complaint were duly communicated to you through the aforementioned Show Cause Notice dated 31.08.2026, a copy of the complaint is enclosed herewith for your ready reference.

Thanks & Regards:-

*Sheetal Behl
Manager Projects
Punjab Heritage & Tourism Promotion Board*



Plot No.3, Sector-38A, Chandigarh

Mob.No. 09646910045

Ph. 0172-5078449”

45. On the application filed by the petitioner through the officer bearers of Bar Association, an urgent hearing was conducted at about 10:00 p.m. on 04.09.2026, wherein the State counsel undertook not to proceed with the proposed demolition fixed for the next day and that no action would be taken till the next date fixed in the matter i.e., 08.09.2026. However, even before the Court the speaking order was not produced.

46. On the strength of above proceedings, the petitioner asserts that enraged by the filing of this petition, he is being victimized by high-ranking State officers.

47. Learned Senior Counsel for the State of Punjab, on the other hand, submits that petitioner has concealed the fact that he was running a farm stay by raising unauthorized construction and filing of successive PILs by him were only with an intent to pressurize the State authorities not to proceed against him. It is also stated that the demolition notice was issued in due course and was in furtherance of a notice issued to petitioner on 26.11.2024. It was also argued that the petitioner is trying to derive unfair advantage by misrepresenting facts.

48. In reply, petitioner has submitted that he had already responded to the notice dated 26.11.2024 and the proceedings were dropped by the GMADA, after being satisfied that farm stay was legally constructed and run with due permission from all authorities. The petitioner contends that having dropped such proceedings initiated in



2024 when he had raised issues of illegal mining, the proceedings have been revived *mala fide* only to threaten the petitioner so that he may not prosecute this PIL.

49. So far as legality of running of farm stay by petitioner is concerned, we are not required to adjudicate it, in this petition, as it goes beyond the scope of instant proceedings. However, it does appear on record that having issued a show cause notice on 26.11.2024, the GMADA did not proceed any further for fairly long. It was all of a sudden that a speaking order was sought to be served upon the petitioner through the letter dated 02.09.2026. The speaking order apparently was not accompanied with the letter dated 02.09.2026 nor was it produced before the Court on 04.09.2026. Undue hot-haste, on part of the respondents in proceeding against petitioner's farm stay is nevertheless clearly evidenced. All this happened soon after filing of the present writ petition. We would like to leave the issue at this.

50. Having examined the materials placed on record we conclude that the petitioner is a public-spirited person. He has been associated with various organizations and has served as advisor and associate with several NGOs. He has been raising causes relating to governance; judicial and policy reforms; gender justice and institutional accountability of which details are enumerated in para 4 of the affidavit filed in support of this PIL. The fact that petitioner has raised diverse issues by filing several PILs and has been associated with various NGOs raising distinct causes remains undisputed.



51. The mere fact that two PILs filed by the petitioner were not entertained on the ground of remedy before the Magistrate and being premature would not make any difference on the petitioner's standing in public interest. Non-entertainment of two PILs filed by the petitioner was case specific and does not lay down any proposition adversely impacting filing of present PIL by the petitioner.

52. Moreover, the fact that petitioner is also running a farm stay under the policy of the State, for his gain, on his agricultural land in respect of which certain notices were issued earlier is not sufficient to either discredit the petitioner or to refuse entertainment of present PIL if the Court comes to the conclusion that it raises issue of substantial public importance. The undue hot-haste with which GMADA has proceeded against the petitioner, showing its intent to demolish his farm stay, cannot be brushed aside, either. Accordingly, objection taken by the State to the maintainability of this petition on the ground of petitioner lacking credibility has no force and is consequently rejected.

53. The cause raised by the petitioner emanates from the newspaper reports published in prominent daily newspapers i.e., Hindustan Times, The New Indian Express, The Indian Express and Tribune as per which ED has come in possession of material indicating extraneous considerations influencing transfers; framing of public policies; award of tenders; arms licences and other illegal activities. These materials showing commissioning of cognizable offence have been shared with the Punjab Police, by ED, yet no FIR is lodged despite expiry of sufficient time. As per the petitioner, the Punjab Police is trying to



shield its senior officers including those posted in the office of the Chief Minister from any action which may be taken against them as per law. The petitioner has referred to the contents of material shared by ED with Punjab Police.

54. The present petition was entertained and the ED was called upon to inform the Court about correctness of assertions made in the writ with regard to sharing of information by it, with Punjab Police. The ED has filed a short affidavit annexing the material shared by it with Punjab Police which is referred to in previous part of this judgment.

55. If the material shared by ED with Punjab Police relating to involvement of senior officers of State of Punjab in various scams is looked into then there can hardly be any doubt that the information shared with Punjab Police is serious. It does reveal issues of significant public importance. Allegation of corruption in matters of transfer, framing policies, influencing tenders, awarding arms licence, amassing wealth by dubious means etc., are to be taken seriously when the allegations are against persons occupying senior positions in the State Government.

56. Inaction on part of the State/Punjab Police in taking cognizance of such serious allegations despite sharing of information by ED with Punjab Police would constitute an issue of vital public interest.

57. Rule 6 of the PIL Rules of 2010 provides that a PIL may be entertained on any subject of vital public importance, such as bonded labour matters, neglecting children, petitions from riot victims etc. etc. The specific heads are only illustrative of the common genus i.e., subject



of vital public importance. The heads specified in Clauses (a) to (e) of Rule 6 are not exhaustive and are only illustrative. Therefore, once the petitioner is able to show that he is raising a subject of vital public importance then a public interest litigation would clearly be maintainable before this Court. Since we have already held that cause raised in this petition is of substantial public interest and the credentials of petitioner are not questionable, therefore, the present petition is liable to be entertained.

58. The next question for our determination in this PIL is as to whether the non-registration of FIR despite sharing of information by ED, under Section 66(2) of the Act of 2002, gives cause only to the ED to take appropriate measures or any public-spirited person can approach this Court for setting in motion the process of investigation?

59. Section 66(2) of the Act of 2002 reads as under:-

“2. If the Director or other authority specified under sub-section (1) is of the opinion, on the basis of information or material in his possession, that the provisions of any other law for the time being in force are contravened, then the Director or such other authority shall share the information with the concerned agency for necessary action.”

60. The provision stipulates that if Director or any other authority specified under sub-Section (1) is of the *opinion*, on the basis of information or material in its possession, that the provisions of any other law for the time being in force are contravened, then the Director or such other authority shall *share the information* with the concerned agency for *necessary action*.



61. The object of the statute is that the competent authority while conducting investigation in a case if comes across material in its possession, which would demonstrate that the provisions of any other law for the time being in force are contravened, then such information has to be shared with the concerned agency for necessary action.

62. A careful reading of the expressions used in the provision would indicate that the authority specified in Section 66(1) of the Act of 2002 must form its *opinion, on the basis of information or material in its possession that the provisions of any other law for the time being in force are contravened*, for the process to be triggered. The competent authority is then enjoined to share the information with the concerned agency for necessary action.

63. Formation of opinion about contravention of law based on information or material in possession of the competent authority is thus the *sine qua non* for exercise of jurisdiction under Section 66(2) of the Act of 2002. On it arising, the information has to be shared with the *concerned agency for necessary action*.

64. The purpose of sharing of information under Section 66(2) of the Act of 2002 is to activate the process of investigation which the ED is not authorized to do on its own. The concerned agency which is shared with such information is then required to take necessary action.

65. The term '*necessary action*' in the context of the scheme contained in the Act of 2002 is quite explicit. The shared information about contravention of law must therefore lead to initiation of



investigative process as per the applicable criminal law, by the concerned agency.

66. Lodging of FIR under Section 173 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 (corresponding to Section 154 CrPC) sets in motion the criminal law procedure for the purposes of investigation so as to take suitable steps to bring to book the guilty. The law in this regard has been settled by the Constitution Bench of the Supreme Court in ***Lalita Kumari v. Government of Uttar Pradesh and another, (2014) 2 SCC 1***. In paras 93 and 96 of the report the Court has specified the object of registering the earliest information received as FIR in following words:-

“93. The object sought to be achieved by registering the earliest information as FIR is inter alia twofold: one, that the criminal process is set into motion and is well documented from the very start; and second, that the earliest information received in relation to the commission of a cognizable offence is recorded so that there cannot be any embellishment, etc. later.

96. The underpinnings of compulsory registration of FIR is not only to ensure transparency in the criminal justice-delivery system but also to ensure “judicial oversight”. Section 157(1) deploys the word “forthwith”. Thus, any information received under Section 154(1) or otherwise has to be duly informed in the form of a report to the Magistrate. Thus, the commission of a cognizable offence is not only brought to the knowledge of the investigating agency but also to the subordinate judiciary.”



67. In para 97 of the judgment in **Lalita Kumari** (supra) the Court has held the lodging of FIR on receiving of information about cognizable offence to be obligatory. Para 97 is reproduced hereinafter:-

“97. The Code contemplates two kinds of FIRs : the duly signed FIR under Section 154(1) is by the informant to the officer concerned at the police station. The second kind of FIR could be which is registered by the police itself on any information received or other than by way of an informant [Section 157(1)] and even this information has to be duly recorded and the copy should be sent to the Magistrate forthwith. The registration of FIR either on the basis of the information furnished by the informant under Section 154(1) of the Code or otherwise under Section 157(1) of the Code is obligatory. The obligation to register FIR has inherent advantages:

97.1. (a) It is the first step to “access to justice” for a victim.

97.2. (b) It upholds the “rule of law” inasmuch as the ordinary person brings forth the commission of a cognizable crime in the knowledge of the State.

97.3. (c) It also facilitates swift investigation and sometimes even prevention of the crime. In both cases, it only effectuates the regime of law.

97.4. (d) It leads to less manipulation in criminal cases and lessens incidents of “antedated” FIR or deliberately delayed FIR.”

68. In para 105 the Supreme Court observed as under in **Lalita Kumari** (supra):-

“105. Therefore, reading Section 154 in any other form would not only be detrimental to the scheme of the Code but also to the society as a whole. It is thus seen that this Court has repeatedly held in various decided cases that



registration of FIR is mandatory if the information given to the police under Section 154 of the Code discloses the commission of a cognizable offence.”

69. While holding in unequivocal terms that Section 154 CrPC contemplates mandatory registration of FIR, the Court did acknowledge exceptions where a preliminary inquiry may be required owing to the change in genesis and novelty of crimes. One of the instances where preliminary inquiry may be necessary is a case relating to corruption on part of public servant. {See:- ***P. Sirajuddin v. State of Madras, (1970) 1 SCC 595***}.

70. In para 119 the Court held as under in categorical terms ***in Lalita Kumari*** (supra):-

“119. Therefore, in view of various counterclaims regarding registration or non-registration, what is necessary is only that the information given to the police must disclose the commission of a cognizable offence. In such a situation, registration of an FIR is mandatory. However, if no cognizable offence is made out in the information given, then the FIR need not be registered immediately and perhaps the police can conduct a sort of preliminary verification or inquiry for the limited purpose of ascertaining as to whether a cognizable offence has been committed. But, if the information given clearly mentions the commission of a cognizable offence, there is no other option but to register an FIR forthwith. Other considerations are not relevant at the stage of registration of FIR, such as, whether the information is falsely given, whether the information is genuine, whether the information is credible, etc. These are the issues that have to be verified during the investigation of the FIR. At the stage of registration of FIR,



what is to be seen is merely whether the information given ex facie discloses the commission of a cognizable offence. If, after investigation, the information given is found to be false, there is always an option to prosecute the complainant for filing a false FIR.”

71. Sharing of information under Section 66(2) of the Act of 2002 is by an investigating agency *i.e.*, ED with regard to its opinion of contravention of law, on the basis of information or material in its possession, with the concerned agency for necessary action. The statutory object in such exigency is to set in motion the necessary action *i.e.*, commencement of investigation for which lodging of the FIR is a mandatory condition unless no cognizable offence is made out in the information given when conduct of preliminary verification or inquiry may be justified.

72. In ***Vijay Madanlal Choudhary v. Union of India, (2023) 12 SCC 1*** a three-Judge Bench of the Supreme Court had the occasion to examine the constitutional validity of the Act of 2002. While examining various provisions of the Act of 2002, the Court held as under in para 151 of the report:-

“151. It is possible that in a given case after the discovery of huge volume of undisclosed property, the authorised officer may be advised to send information to the jurisdictional police [under Section 66(2) of the 2002 Act] for registration of a scheduled offence contemporaneously, including for further investigation in a pending case, if any. On receipt of such information, the jurisdictional police would be obliged to register the case by way of FIR if it is a cognizable offence or as a non-cognizable offence (NC case), as the case may



be. If the offence so reported is a scheduled offence, only in that eventuality, the property recovered by the authorised officer would partake the colour of proceeds of crime under Section 2(1)(u) of the 2002 Act, enabling him to take further action under the Act in that regard.

73. Viewed in the context of statutory scheme coupled with the observation of the Hon'ble Supreme Court in ***Vijay Madanlal Choudhary*** (supra) it seems inevitable for the jurisdictional police to register an FIR on sharing of information with it, by ED under Section 66(2) of the Act of 2002, disclosing commissioning of cognizable offence.

74. Learned Senior Counsel for the State of Punjab has laid much emphasis on the judgment of the Supreme Court in ***Lalita Kumari*** (supra) to contend that it is not obligatory for the Punjab Police to register an FIR on receiving of information from the ED and that a preliminary inquiry is being conducted in the matter. He has further placed reliance upon the judgment of the Kerala High Court in ***V. P. Nandakumar and another v. Deputy Director, Directorate of Enforcement and Another, 2023 SCC OnLine Ker 6848*** as also on the judgment(s) of Delhi High Court in ***Harish Fabiani v. Enforcement Directorate, 2022:DHC:3892-DB***; Madras High Court in ***R.K.M. Powergen (P) Ltd v. Directorate of Enforcement, (2025)1 HCC (Mad) 380*** and this High Court in ***Angad Singh Makkar v. Union of India, 2024:PHHC:022543***. In ***V. P. Nandakumar*** (supra) learned Single Judge of the Kerala High Court relied upon the judgment of the Division Bench of Delhi High Court in ***Harish Fabiani*** (supra) to observe as under in paras 18 and 19:-



“18. Section 66(1) of the PMLA prescribes the obligations of the Enforcement Directorate (ED) to provide or facilitate the provision of pertinent information to designated government entities when such information is deemed essential for the discharge of their functions under relevant legislation. This provision permits information-sharing exclusively with Government Departments mentioned therein. These encompass officers, authorities, or bodies responsible for executing any functions under laws related to the levying of taxes, duties, or cess; those concerned with foreign exchange dealings; or those involved in the Prevention of Illicit Traffic of Narcotic Drugs and Psychotropic Substances as governed by the Narcotic Drugs and Psychotropic Substances Act, 1985. Further, the right of the Government to promulgate a gazette notification, thereby enabling additional Departments to access such information in the public interest, is also reserved. It is crucial to note that even if the ED has disseminated such information to a governmental entity, the receiving agency is mandated to undertake its independent investigation. It would have to critically analyze the received data, evaluate all related case records, and arrive at an informed decision concerning the initiation of relevant proceedings. The disclosure by the Enforcement Directorate would not exempt the notified governmental agencies from undertaking an independent evaluation to ascertain whether the accused has contravened any statutory provisions. The act of disclosure in and of itself would not categorically render the information as constituting a “scheduled offence.” Such information remains in the realm of an accusation and is to be construed as an “assumption” until such time as it is formally registered with the appropriate jurisdictional



police or is subjected to an inquiry pursuant to a complaint filed before a competent forum.

19. This aspect was considered in Fabiani (supra), and the law was lucidly explained as under in paragraph No 23 of the judgment.

As regards the contention of the learned ASG for the ED that Section 66 PMLA permits the Respondents to activate any authority by disclosure of a scheduled offence, this Court is of the considered view that an ECIR or a proceeding under the PMLA cannot be triggered merely on that assumption alone, as noticed by the Hon'ble Supreme Court in the para 253 of Vijay Madanlal Choudhary (supra). Section 66(2) which was being pressed by the Respondents for this purpose merely encapsulates the power of the Director or any other authority to disclose/share any information it may have regarding contravention of any other law by a person/entity “for necessary action”. The provision itself enables disclosure and sharing of information inter se authorities, however mere disclosure does not crystallize a scheduled offence. It is merely an “assumption” till it precipitates as being “registered with the jurisdictional police or pending inquiry by way of complaint before the competent forum” (per the Hon'ble Supreme Court).”

75. The aforesaid judgment of Kerala High Court was in the peculiar facts of its own where the ED was proceeding in an ECIR pursuant to information received in FIR No.376/2022 which was already quashed by the High Court. The Court observed that once the FIR in the predicate offence stood quashed, the ECIR will not survive. This is clear from the observations of the Court in para 14 which reads as under:-

“14. In the case on hand, a perusal of Annexure-A1 ECIR would reveal that the source from which the information material was received is FIR No 376 of



2022. As the FIR stands quashed by this Court, there can be no offense of money laundering against the petitioners or anyone claiming such property being the property linked to stated offense through him. In that view of the matter, I find it difficult to accept the submission of the Central Government Counsel that the ECIR will survive even if the life-giving FIR is no more.”

76. The observations of the Kerala High Court in paras 18 and 19 are therefore distinguishable inasmuch as the controversy therein was entirely distinct *i.e.*, whether the ECIR would survive despite quashing of the predicate offence in the FIR. Not much can thus be gained by Mr. Chaudhari, learned Senior Counsel for the State of Punjab on the strength of observations of the Kerala High Court and the Delhi High Court in the case of *Harish Fabiani* (supra).

77. Moreover, we are of the considered view that the question whether the information shared by ED under Section 66(2) of the Act of 2002 with the jurisdictional police discloses commission of cognizable offence remains essentially a question of fact which would vary from case to case.

78. Ordinarily, the registration of FIR by jurisdictional police on receiving of information with regard to commissioning of cognizable offence would have to follow unless the information shared does not indicate commission of cognizable offence in which case alone a preliminary inquiry would be necessary.

79. Coming to the facts of this case, we find that the information shared by the ED with the Punjab Police is concerning to say the least.



The information shared is not just the opinion of ED but also contains material on the strength of which opinion with regard to contravention of law has been formed by the competent authority. The allegations, taken on its face value, are serious and required investigation by the jurisdictional police.

80. Mr. Chaudhari, learned Senior Counsel has also argued with vehemence that in the event jurisdictional police has decided not to lodge an FIR, at this stage, and is proceeding with preliminary investigation then at best, the ED can approach jurisdictional Magistrate for a direction to register FIR and no PIL can be entertained for such purpose. He has also emphasized on the use of expression '*necessary action*' and the remedies that are available with the ED in such circumstances.

81. We are not inclined to dilate any further on the measures that are available with the ED in a case where jurisdictional police decides not to register the FIR despite sharing of information which, in the opinion of ED, constitutes cognizable offence in the peculiar facts of this case for the reasons to be indicated hereinafter.

82. We have already analyzed the facts of the present case and have come to the conclusion that this PIL has been instituted in genuine public interest concerning an issue which is of vital importance for the public interest. *Prima facie* allegations with regard to scams including cash for transfers; cash for getting favourable policies; cash for tenders, and such other illegal activities corruption in high public offices have been substantiated by the ED with reference to various WhatsApp chats and other information with regard to which certificate under Section



66(B) of Evidence Act, 1872 (corresponds to Section 63 of the Bharatiya Sakshya Adhiniyam (BSA), 2023) has also been forwarded. Merits of the allegation can only be gone into at the stage of investigation/trial and we are not required to express any definite opinion on it.

83. The question for consideration before us is as to whether this Court would be required to issue necessary directions in public interest for investigation to be conducted in a fair and impartial manner or not?

84. On evaluation of the materials placed on record and for the analysis made hereinabove, we have no hesitation in coming to the conclusion that the information shared by ED *prima facie* conveys commissioning of cognizable offence in high public office which has the potential of endangering public interest. In such an eventuality, this Court would have to take cognizance of the public interest highlighted by the petitioner in this case and to issue necessary directions for a fair investigation to be conducted notwithstanding the fact that ED, on its own, may have other options in law to force the jurisdictional police to register an FIR in the matter.

85. The conclusion drawn by us, as aforesaid, is in the peculiar facts of the case and we are of the considered view that any failure on our part to intervene in the matter, at this stage, may adversely affect public interest.

86. We also cannot be oblivious of the fact that the information in the present case was shared by the ED with the jurisdictional police way back on 30.07.2026. Two months have gone-by and no FIR has been registered in the matter so far. The argument of the petitioner that the time



consumed by the PBI in the name of preliminary investigation, in this case, is being utilized to distort the evidence and shield senior officers who are currently posted in high public office is not entirely sans merit.

87. Despite issuance of notice in the matter by us on 27.08.2026, no reply on merits has been filed by the respondents so far. Only a note has been shared with the Court under the signatures of an investigating officer which is not backed by any affidavit. This note has already been extracted above.

88. A careful perusal of the aforesaid note raises more questions than it answers.

89. As per this note the communication from ED was received in the office of Director General of Police, Punjab on 03.08.2026 who marked it to PBI. On 05.08.2026 discussions took place regarding the ED's letter by AIG/Investigation with law officers of Bureau of Investigation. On 06.08.2026, the annexures attached with the communication were perused and examined. On 07.08.2026, discussions were held regarding preliminary assessment pertaining to information and conclusions drawn by the ED with their respective linkages and connection to various annexures attached with the communication. On 08.08.2026 the ED's communication was examined from legal perspective and to examine whether screenshots of WhatsApp chat could be relied upon without the requisite compliance of obligation cast under Section 17A of Prevention of Corruption Act, 1988 as also the scope of judgment in *Lalita Kumari* (supra). Thereafter, notices were issued on 11.08.2026 to one R. S. Dhaliwal to decipher the nature of chat at



Annexure F whereafter notices were issued to Sh. Nitin Gohal on 12.08.2026. On 13.08.2026, Mr. Dhaliwal was associated with the proceedings and he sought time. On 14.08.2029 Ms. Shailander Kaur got associated with the proceedings and sought time. Notices were also issued to Mr. Jitin Gohal, Dr. Romi aka Raja Mahajan. On 17.08.2026 Nitin Gohal, Dr. Romi etc., who were associated with the proceedings sought time. Detailed discussions were held on 17.08.2026 regarding the matter and preparation of fact sheet. On 18.08.2026 Jitin Gohal got associated with the proceedings and sought time. On 20.08.2026 and 21.08.2026 the analysis of ED's letter with its enclosures continued from legal perspective and issues regarding non-legible documents were examined particularly as some of the provisions stood repealed including the IPC etc. Back to back meetings followed on 23/24.08.2026 with Secretary, Department of General Administration to seek a coordinated expeditious response from various respective departments which find mention in the chats appended with the ED's communication. Letters were sent to 29 departments seeking information regarding ED's communication. Notices were issued to four more persons on 25.08.2026 who appeared on 27.08.2026 and sought time. On 27.08.2026 the preliminary analysis of received communication and evaluation of related documents revealed discrepancies and anomalies in the ED's letter. On 28.08.2026 a letter was sent to ED to depute an authorized officer conversant with the records to visit the officers' lounge of PBI on 01.09.2026 at 11:00 am.



90. The above fact sheet clearly shows that the information shared by ED with Punjab Police has led to a journey with all travel and no reaching.

91. What was required at the level of Punjab Police was to examine the contents shared by ED with it and if it did disclose commission of cognizable offence, which it does in our considered view, an FIR ought to have been registered and investigation ought to have proceeded. This is not what has happened.

92. Instead, some sought of preliminary inquiry is alleged to have commenced with issuance of notices to the persons who are referred to in the ED's communication. What was revealed by these persons is not known. The fact sheet only states that these persons sought time in the matter. Interestingly, Sh. Rajbir Ghuman who is posted as OSD in the office of the Chief Minister is neither associated in the preliminary inquiry nor his response is sought in the matter.

93. Strangely, the note shared by PBI indicates that documents shared by ED was examined on several days with different officials and notices were also issued to many of those whose name had figured. However, having done it all the PBI on 28.08.2026 has called for legible documents from ED. If the documents were not legible then how notices were issued to the persons named in the documents supplied by ED to Punjab Police? What kind of discussion with high-ranking officers took place when the documents itself were not legible remains unexplained. Issuance of notices to 29 departments to seek information on illegible documents is equally surprising. If the documents supplied by ED were



not legible then on the very first opportunity when it was examined by the Punjab Police required clarification/legible copies ought to have been demanded from ED. Asking for legible copies after about a month of extensive deliberation and issuance of notice to the persons referred to in ED's communication renders the note furnished to us rather hollow and lends credence to the petitioner's contention that time is being bought only to formulate strategies to save guilty and manipulate the available evidence, or the evidence which may be collected, if a fair investigation is held in the matter.

94. It is in this context and backdrop that the events occurring after issuance of notice in this petition are required to be examined.

95. First response from Punjab Police emerges on 28.08.2026 in the form of a letter addressed to ED asking for legible copies of material shared by ED. As we have already observed, we find such response to be unusual since the Punjab Police had been discussing and deliberating all this while for a month and issuing notices etc., to various persons. Even if a couple of documents were illegible yet the substantial material shared by ED with Punjab Police did contain information regarding occurrence of breach of law and commissioning of offences which was sufficient at least to register an FIR and proceed with the investigation.

96. We may also take note of the fact that the ED had recorded statement of Nitin Gohal in the matter who was confronted with various WhatsApp chat in possession of ED. Some of the questions posed to him and the reply received in that regard are reproduced:-



“Question 31- During the course of the search proceedings, your mobile phones were examined, and it was observed that you had received multiple messages and communications from various officers/officials of the Punjab State Government requesting your assistance/intervention in matters relating to their transfer and posting. In this regard, please explain why such requests regarding transfer/posting of officers/officials of the Punjab State Government were being addressed to you despite you not being the competent authority in such matters.

Ans:- Since the OSD Sh. Rajbir Singh Dhimman is an old friend of mine as I know him 22 years back and I usually go to his office/Chamber and have a acquaintance with him. Therefore, several officers/officials/MLAs have forwarded the request to me. I only have done the data entry type work like preparing lists in excel and forward to concerned person. I only assist them in general work.”

97. In reply to question No.39 with regard to purchase of industrial plot in Industrial Area, Phase-7, Mohali, Nitin Gohal stated that funds for acquiring the plot were contributed from different sources and 50% share was of Bir Devinder. He then informed that he is a friend of Bir Devinder since 2004 and are partners in a company. Nitin Gohal also purchased the property from Pritpal Singh Dhindsa who made several requests for transfers and postings to Nitin Gohal. Question No.48 to 54 posed to Nitin Gohal and the reply received from him are of relevance and are reproduced hereinafter:-

“Question 48:- Who is Mr. RS Nagra (Mob. No.917997000002, 16043630005) and what is your business or financial relation with him?



Ans:- I have met R S Nagra in the year 2022-23 through a common friend namely Mr. Ajeet Pal Singh. At that time, my friend Ajeetpal Singh told me that Mr. Nagra had Rice Shellers and requested me to look after his works related to tenders of foods and others from State Govt. Since I have political links in Punjab State Govt., I assured him to look the same. Further. I also met him 3-4 time after then and received various request from him related to transfer & posting of various state govt. officers/officials on my WhatsApp.

Question 49: - Mr. Rajdeep Singh Nagra had sent you various transfer/posting request for officer/officials of Punjab Government i.e. DSP Rajan Praminder 382 BR, Moti khan (ETO) DETC (Audit) Ludhiana, E O. Charanjeet Singh, Harjot Singh Klair (DSP HQ Chd), Amarjit Singh (DGM Mohali), Parminder Singh Bhatti, Gagandeep Singh patwari from Birmi (DC Ludhiana), reconsideration of suspension of Manjit Singh Tiwana supdt jail (Sangrur) etc. Please explain why he sent you such kind of messages and who are these persons.

Ans: - Mr. Rajdeep Singh Nagra has forwarded the said requests to me due to my links in Punjab State Government. Out of the request(s) received from various persons like MLA & Halka Incharge, I have forwarded a few requests to the concerned officer in CMO. Currently, I can't recall the name of the officers to whom I have sent these requests.

Question 50: On many occasions Mr. Rajdeep Singh Nagra had sent you messages regarding change in terms & conditions in the tenders published by Punjab Govt, putting SAP user licence application of Verka (Milkfed Punjab), re-tendering of govt tenders, getting approved licence of Mind care hospital Srihind from Secretary Health Ajoy



Singh etc. Please explain why he sent you such kind of messages.

Ans: - Mr. Rajdeep Sing Nagra has forwarded the said requests so that I can help him in work.

Question 51:- Upon examination of your mobile phone, it was observed that on 24.01.2024, you forwarded a PPT titled "State Policies for Foodgrains Labour & Cartage 2024" dated 24.01.2024 to Mr. R. S. Nagra. Please clarify how you came into possession of the said confidential Government document. A copy of the relevant communication is enclosed herewith for your acknowledgement and reference. Kindly acknowledge the same.

Ans:- I have seen the said PPT and I confirm that this PPT was exchanged between me and Mr. Rajdeep Singh. As Mr. Rajdeep Singh was engaged in foodgrain supply related business he wanted some favourable changes in the State Policies for Foodgrains Labour & Cartage 2024 for his business. Mr. Rajdeep Sing Nagra has forwarded the said communications so that I can help him in work.

Question 52: In this regard, provide the name and designation of the person who forwarded/shared the said PPT with you, along with the purpose and circumstances of such communication.

Ans: - I do not remember exactly who shared this PPT with me. I will provide details in 5 days.

Question 53: - In this regard, state whether you were duly authorized to receive or access the said confidential document. If so, provide details of such authorization.

Ans:- Since I am neither a govt employee nor a politician, I am not authorized to access confidential govt document other than the way a ordinary person could obtain. However,



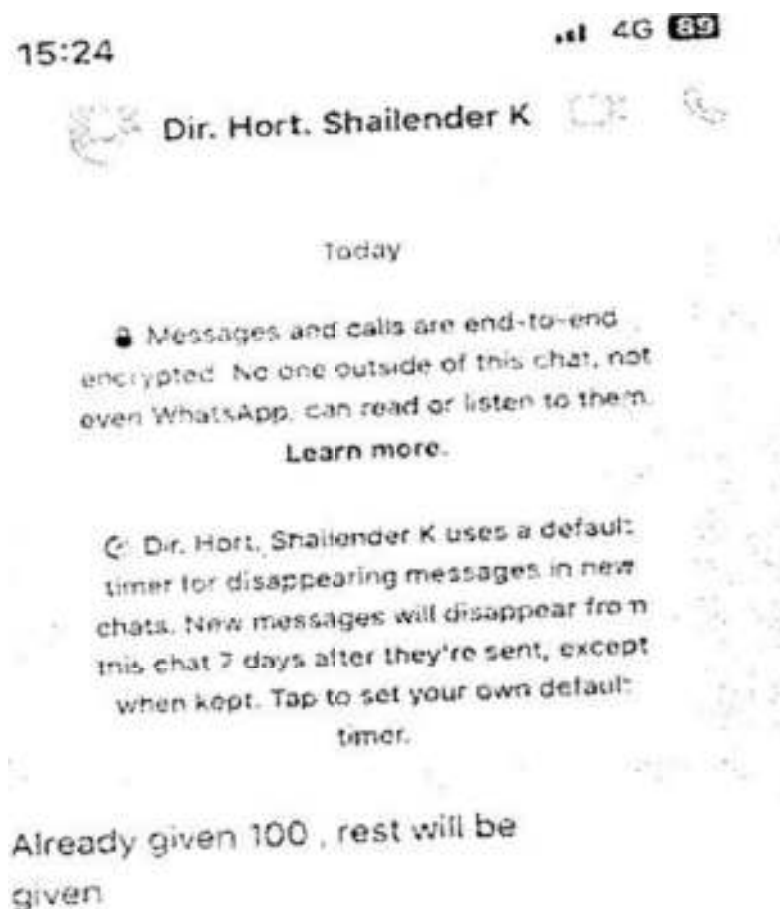
I have received said document and information due to my links with officers.

Question 54: In this regard, provide the reasons for forwarding the said PPT to Mr. R. S. Nagra.

Ans: - I exchanged the said PPT with Mr. Rajdeep Singh Nagra (R.S. Nagra). As he was engaged in foodgrain related business and was the person known to me whom this policy could affect. Therefore, I shared this PPT with him so that he could suggest the changes in the policy.”

98. Question No.57 relates to some transactions in which 100 were stated to be given and rest was to be given. This question and the answer given are reproduced:-

“Question 57:- You have forwarded the below attached screenshot to Mr. Rajdeep Singh on whatsapp on 17.01.2024. Please explain the content of the screenshot and from whom did you receive this screenshot and why did you send the same to Mr. Rajdeep Singh.





Ans:- Currently, I could not recall the details about the person Mr. Shailender K as I don't know any Shailender Kumar. I also could not explain the content of the said screenshot."

99. Question No.58 to 64 as also the reply given by Nitin Gohal are also extracted hereinafter:-

"Question 58: You are being shown a photocopy of ledger of M/s Harshil Travel for Nitin Kumar Gohal 9888434314 for your acknowledgement. In this regard, please explain your relationship and business association with Harshil Travels and its proprietor/authorized persons. Since when have you been dealing with the said travel agency?"

Ans: - The said firm M/s Harshil Travels is a travel agency situated in Mohali. I have booked various tickets for travel/hotel for my family and my known persons. From last 2-3 years. I have availed their services to book both domestic and foreign travel from M/s Harshil Travels.

Question 59: What is the nature of transactions carried out between you and Harshil Travels? Please provide complete details of services availed, including air tickets, hotel bookings, tour packages, and foreign travel arrangements.

Ans: - The said transactions were made to book tour package/air tickets/hotel from M/s Harshil Travel. Currently, I could not recall the complete details of service availed from M/s Harshil Travels. I will provide the said details in your office in 03 days to your office.

Question 60: - As per the ledger account maintained by Harshil Travels in your name, there are numerous high-value transactions during FY 2024-25 and FY 2025-26. Please explain the purpose of the said transactions.

Ans: - The said transactions were made to book tour package/air tickets/hotel from M/s Harshil Travel. Both



domestic and foreign travel booking have been done through M/s Harshil Travels.

Question 61: - Why were multiple travel bookings made in the names of your family members and associates including Rajbir Singh Ghuman, Taljinder Singh, Bir Devinder Singh, Kamalpreet Kaur, and others? Have you or any other person on behalf of you have booked hotel/tour for above-mentioned person. Provide the details and state the reason for the same.

Ans: Yes, I have been booking hotel/tours/air tickets from 12-15 years for the above-mentioned persons as they are known to me. They usually asked me to book ticket for them. On their request. I have booked tickets/tours for them.

Question 62: Several entries in the ledger reflect substantial cash receipts against air tickets and hotel bookings. Please explain the source of cash used for these payments. And provide the reason why the payments were made in cash instead of normal banking channels despite the large value of transactions?

Ans: The source of cash is the receipt of fee of students/interns who receive training and coaching from our company. Will provide complete details in 5 days.

Question 63: Please provide documentary evidence regarding the source of cash utilized for the payments reflected in the ledger, including Bank withdrawal statements, and relevant entries in Cash books.

Ans:- I presently don't have any documentation regarding the cash, I will submit the same after 7 days after collecting from my office.

Question 64:- Were the cash payments made by you personally or through any third party? If through third parties, provide their names, addresses, mobile numbers, and purpose of payment.



Ans:- The cash was paid by me through our office boys, and sometimes the repsective persons (whose tickets were booked use to send cash to the vendor). ”

100. Question No.68 directly refers to taking of favour from Rajbir Ghuman in matters of transfer and policy decisions as also arranging tickets and hotels for his travel. The question and its answer are reproduced:-

“Q68 You have been taking favours from Rajbir Ghumman in transfers and policy decisions. You are also arranging various tickets and hotels for their travel. Why should those not be taken as Kickbacks given by you for getting these transfer and policy decisions favours?

Ans:- I am not taking any favours from them. I only do data entry type work like preparing lists in excel and forward to concerned person. I only assist them in general work. Also I want to state that the tickets are indeed booked by me but many times payments are done directly by the relevant persons.”

101. The material forwarded by ED to Punjab Police is voluminous and contains incriminating material which was expected to have led to a responsible response from the State Police. The material shared by ED *prima facie* indicated involvement of high public officials in acts of corruption and at least required registering of FIR so that proper investigation in the matter would be carried out. This is not the response of the Punjab Police.

102. The petitioner’s contention that attempt is made by Punjab Police to silence the whistleblower also cannot be brushed aside lightly. The fact that a demolition order came to be passed against the petitioner



soon after filing of the present petition appears unnatural. Notice had earlier been issued to the petitioner in November, 2024 which was promptly responded to by the petitioner in 2024 itself. Nothing happened thereafter. It is after expiry of a year and ten months that a demolition order is passed, without serving copy of the speaking order, immediately after filing of the present PIL which is suggestive of malice apparent on face of the record. Had it not been for the intervention of the Bar Association and hearing of the matter by the Court at around 10:00 in the night that a grave damage may have been caused to the petitioner. According to petitioner, he had already responded to the notice of November, 2024 and upon being satisfied with the reply the proceedings were dropped may also have substance. Though, we are not expressing any definite opinion on the legality of petitioner's construction but the manner in which action of demolition has followed soon after issuance of notice in this matter does create doubt regarding intent of high-ranking State officers against whom petitioner has highlighted corruption based on information shared by ED with Punjab Police.

Conclusion

103. On a cumulative assessment of the material placed on record before us in this petition, we are of the considered view that a fair and transparent investigation is required to be carried out in the matter. We are also not impressed by the manner in which Punjab Police has acted so far in the matter and therefore we deem it appropriate to entrust investigation of the present case to the Central Bureau of Investigation which will register an FIR in the matter and proceed with the investigation forthwith.



A report with regard to outcome of such investigation shall be submitted to this Court within two months. State of Punjab as well as Punjab Police would render all assistance to the CBI in carrying out fair investigation in the matter.

- 104. With these directions, the instant writ petition is disposed of.
- 105. List this matter on **07.12.2026** for furnishing status report.

[ASHWANI KUMAR MISHRA]
CHIEF JUSTICE

[ROHIT KAPOOR]
JUDGE

OCTOBER 05, 2026
Rahul Joshi

- | | |
|------------------------------|--------|
| 1. Whether Speaking/reasoned | Yes/No |
| 2. Whether Reportable | Yes/No |