



CNR: KAHC010613182026

NC: 2026:KHC:54531
CRL.P No. 13669 of 2026
C/W CRL.P No. 13670 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 30TH DAY OF SEPTEMBER, 2026**

BEFORE

THE HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

CRIMINAL PETITION NO. 13669 OF 2026

C/W

CRIMINAL PETITION NO. 13670 OF 2026

IN CRL.P No. 13669/2026:

BETWEEN:

SRI ROBIN KHANDELWAL
S/O SRI. NARESH KUMAR KHANDELWAL
AGED ABOUT 38 YEARS
R/AT HOUSE NO.8, DD TIWARI ROAD
BOREHAT, PURBA-BARDHMAN
WEST BENGAL - 713 102.

...PETITIONER

(BY SRI SANDESH J CHOUTA, SR. COUNSEL FOR
SRI GAURAV N, ADV.)

AND:

DIRECTORATE OF ENFORCEMENT
REPRESENTED BY ITS ASSISTANT DIRECTOR
BENGALURU ZONAL OFFICE
GOVERNMENT OF INDIA
HMT MACHINE TOOLS LIMITED
COMPOUND, BANGALORE COMPLEX
NEAR HMT CIRCLE, JALAHALLI
BENGALURU - 560 013.

...RESPONDENT

(BY SRI MADHU N RAO, ADV.)



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THIS CRL.P IS FILED U/S 439 CR.PC (FILED U/S 483 BNNS) PRAYING TO ENLARGE THE PETITIONER ON REGULAR BAIL IN ECIR/BGZO/01/2021 DATED 05.01.2021 REGISTERED BY THE DIRECTORATE OF ENFORCEMENT BENGALURU ZONAL OFFICE FOR THE ALLEGED OFFENCES P/U/S 3 AND 4 OF THE PREVENTION OF MONEY LAUNDERING ACT 2002 PENDING ON THE FILE OF THE LD SPECIAL COURT CONSTITUTED UNDER THE PREVENTION OF MONEY LAUNDERING ACT 2002 BENGALURU.

IN CRL.P NO. 13670/2026:

BETWEEN:

SRI SRIKRISHNA RAMESH @ SRIKI
S/O GOPAL RAMESH
AGED ABOUT 31 YEARS
R/AT NO.239, 10TH MAIN ROAD
1ST BLOCK, JAYANAGAR
BENGALURU - 560 011.

...PETITIONER

(BY SRI BIPIN HEGDE, ADV., FOR
SRI GAURAV N, ADV.)

AND:

DIRECTORATE OF ENFORCEMENT
REPRESENTED BY ITS DEPUTY
DIRECTOR, BENGALURU ZONAL OFFICE
OFFICE SITUATED AT HMT MACHINE
TOOLS LIMITED COMPOUND
BANGALORE COMPLEX
JALAHALLI, BENGALURU - 560 013.

...RESPONDENT

(BY SRI MADHU N RAO, ADV.)



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THIS CRL.P IS FILED U/S.439 (FILED U/S.483 BNSS) CR.P.C PRAYING TO ENLARGE THE PETITIONER/ACCUSED NO.1 ON REGULAR BAIL IN ECIR/BGZO/01/2021 DATED 05.01.2021 REGISTERED BY THE DIRECTORATE OF ENFORCEMENT BENGALURU ZONAL OFFICE, FOR THE ALLEGED OFFENCE P/US/ 3 AND 4 OF PREVENTION OF MONEY LAUNDERING ACT, 2002, PENDING ON THE FILE OF THE LEARNED SPECIAL COURT CONSTITUTED UNDER THE PREVENTION OF MONEY LAUNDERING ACT 2002 BENGALURU.

THESE PETITIONS, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE S VISHWAJITH SHETTY

ORAL ORDER

1. Accused nos.1 & 3 in ECIR/BGZO/01/2021 registered by the respondent for the offences punishable under Sections 3 and 4 of the Prevention of Money Laundering Act, 2002, pending before the Court of Prl. City Civil & Sessions Judge and Special Judge for PMLA cases, Bengaluru City, are before this Court in these two petitions filed under Section 483 of BNSS, 2023, seeking regular bail.



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2. Heard the learned Counsel for the petitioner and the learned Counsel for the respondent who has filed statement of objections opposing the bail petitions.

3. Petitioners herein were arrested on 08.05.2026 by the respondent in ECIR/BGZO/01/2021 registered for the offence punishable under Section 3 of the Prevention of Money Laundering Act, 2002 (for short, 'Act of 2002'). Their bail application filed before the Court of Special Judge was rejected, and therefore, they are before this Court.

4. Learned Senior Counsel appearing on behalf of the petitioners having reiterated the grounds urged in the petition, submits that the cases relating to predicate offences were registered between the year 2017 and 2020. In all the said cases, petitioners have been enlarged on bail. Subsequently, two separate ECIR cases were registered in the year 2020 and 2021. Petitioners were not arrested in the ECIR case registered in the year 2020 and after filing of complaint in the said case, petitioners had appeared before the Trial Court pursuant to the summons received and were enlarged on regular bail. In the



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present case which was registered in the year 2021, petitioners have throughout cooperated for the purpose of investigation and inspite of the same, on 08.05.2026 they were arrested and remanded to judicial custody. After completing investigation, prosecution complaint is now filed on 06.07.2026. The case before the Trial Court is at pre-cognizance stage. Considering the volume of charge sheet and the number of charge-sheet witnesses, the chances of trial being completed in the near soon is very remote. The maximum punishment for the alleged offence is imprisonment for a period of seven years. Under similar circumstances, the Hon'ble Supreme Court has granted regular bail. In support of his arguments, he has placed reliance on the judgments of the Hon'ble Supreme Court in the case of **P.CHIDAMBARAM VS DIRECTORATE OF ENFORCEMENT - (2020)13 SCC 791, MANISH SISODIA VS DIRECTORATE OF ENFORCEMENT - (2024)12 SCC OnLine 2626, V.SENTHIL BALAJI VS DEPUTY DIRECTOR, DIRECTORATE OF ENFORCEMENT - 2024 SCC OnLine SC 2626, PADAM CHAND JAIN VS ENFORCEMENT DIRECTORATE - 2025 SCC OnLine SC 1291** and **ARVIND**



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5. Per contra, learned Counsel appearing for the respondent submits that statement of the accused recorded under Section 50 of the Act of 2002 is admissible in law. Considering the seriousness of the allegations found against the accused and also having regard to the twin conditions in Section 45 of the Act of 2002, the prayer made by the petitioners is liable to be rejected. He submits that, although the final report has been filed in the present case, the proceeds of crime have not yet been completely traced. Therefore, in the event the petitioners are enlarged on bail, the possibility of they misusing, or otherwise shifting the proceeds of crime from the present location, cannot be ruled out. He accordingly, prays to dismiss the petitions.

6. FIR in Crime No.153/2020 was registered against the petitioners for offences punishable under Sections 66, 66(C), 66(D) of IT Act and Sections 3, 120B, 379, 465, 468, 471, 419, 420 and 384 of IPC, based on which, subsequently in the year



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2021, the present ECIR case was registered against the petitioners. It is not in dispute that petitioners have been enlarged on bail in Crime No.153/2020 and also in other cases registered for predicate offences with similar allegations. It is also not in dispute that prior to the registration of the present ECIR case, the respondent had registered ECIR No.4/2020 based on predicate offence case registered earlier with similar allegations. In the said case, during the course of investigation, petitioners were not arrested. After completing investigation, complaint was filed in ECIR No.4/2020 and pursuant to the summons received in the said case from the Trial Court, petitioners had appeared before the Court and were enlarged on regular bail.

7. So far as the present case is concerned, the same is registered in the year 2021. It is not in dispute that thereafter petitioners have throughout cooperated with the police for the purpose of investigation and they had appeared before the Investigation Officer as and when summoned. The petitioners herein were arrested along with accused no.2 on 08.05.2026 and remanded to judicial custody. Accused no.2 has been now



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granted regular bail by this Court in Crl.P.No.9320/2026 vide order dated 14.07.2026. After completing investigation, a complaint is filed wherein it is alleged that accused no.1 has acquired proceeds of crime totally amounting to Rs.288,80,88,771/-. However, during the course of investigation, no material has been collected from accused no.1 for having acquired proceeds of crime as aforesaid in any form. Accused no.2 allegedly had acquired proceeds of crime totally amounting to Rs.55,91,66,38/- and accused no.3 had acquired proceeds of crime totally amounting to Rs.1,12,64,336/-. The bank account of accused no.3, in which the sale proceeds were deposited to the tune of Rs.53,05,020.27 has been freezed by the Investigation Officer during the course of investigation.

8. Learned Counsel for the respondent has contended that in the event, petitioners are enlarged on bail, they may misuse or shift the proceeds of crime which they have parked safely in an undisclosed place. The present case is registered in the year 2021 and petitioners were arrested only on 08.05.2026. If the petitioners or other accused have parked the sale proceeds safely and if they intended to misuse or shift the same, they



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could have very well done the same before they were arrested in the present case. It is not in dispute that after registration of FIR for the predicate offence in the year 2020, no other criminal case has been registered against the petitioners. There is no allegation against the petitioner that they have misused the bail conditions in any one of the cases registered for the predicate offences. Therefore, the apprehension now expressed by the learned Counsel for the respondent as aforesaid, does not appeal to the mind of this Court.

9. In the present case, after completing investigation, the complaint is now filed against six persons. Except accused nos.1 to 3, other accused have not been arrested in the present case.

10. In P.Chidambaram's case (supra), wherein the accused was in custody for about 50 days, the Hon'ble Supreme Court in paragraph 29 of the judgment, has observed as under:

"29. As noted, the appellant has not been named as one of the accused in the ECIR but the allegation while being made against the co -accused it is indicated the appellant who was the Finance Minister at that point, has aided the illegal transactions since one of the co-accused is the son



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of the appellant. In this context, even if the statements on record and materials gathered are taken note of, the complicity of the appellant will have to be established in the trial and if convicted, the appellant will undergo sentence. For the present, as taken note of, the anticipatory bail had been declined earlier and the appellant was available for custodial interrogation for more than 45 days. In addition to the custodial interrogation if further investigation is to be made, the appellant would be bound to participate in such investigation as is required by the respondent."

11. In Manish Sisodia's case (supra), the Hon'ble Supreme Court taking into consideration the period of petitioner's custody and also the fact that trial in the case is not likely to conclude within a reasonable time, has granted bail to the accused.

12. In V. Senthil Balaji's case (supra), considering the period of custody and also the maximum punishment for the alleged offences, in paragraph 25 & 27 of the judgment, the Hon'ble Supreme Court has observed as under:

"25. *Considering the gravity of the offences in such statutes, expeditious disposal of trials for the crimes under these statutes is contemplated. Moreover, such statutes contain provisions laying down higher threshold*



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for the grant of bail. The expeditious disposal of the trial is also warranted considering the higher threshold set for the grant of bail. Hence, the requirement of expeditious disposal of cases must be read into these statutes. Inordinate delay in the conclusion of the trial and the higher threshold for the grant of bail cannot go together. It is a well-settled principle of our criminal jurisprudence that "bail is the rule, and jail is the exception." These stringent provisions regarding the grant of bail, such as Section 45(1)(iii) of the PMLA, cannot become a tool which can be used to incarcerate the accused without trial for an unreasonably long time.

27. *Under the Statutes like PMLA, the minimum sentence is three years, and the maximum is seven years. The minimum sentence is higher when the scheduled offence is under the NDPS Act. When the trial of the complaint under PMLA is likely to prolong beyond reasonable limits, the Constitutional Courts will have to consider exercising their powers to grant bail. The reason is that Section 45(1)(ii) does not confer power on the State to detain an accused for an unreasonably long time, especially when there is no possibility of trial concluding within a reasonable time. What a reasonable time is will depend on the provisions under which the accused is being tried and other factors. One of the most relevant factor is the duration of the minimum and maximum sentence for the offence. Another important consideration is the higher threshold or stringent conditions which a statute provides for the grant of bail. Even an outer limit provided by the*



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relevant law for the completion of the trial, if any, is also a factor to be considered. The extraordinary powers, as held in the case of K.A. Najeeb, can only be exercised by the Constitutional Courts. The Judges of the Constitutional Courts have vast experience. Based on the facts on record, if the Judges conclude that there is no possibility of a trial concluding in a reasonable time, the power of granting bail can always be exercised by the Constitutional Courts on the grounds of violation of Part III of the Constitution of India notwithstanding the statutory provisions. The Constitutional Courts can always exercise its jurisdiction under Article 32 or Article 226, as the case may be. The Constitutional Courts have to bear in mind while dealing with the cases under the PMLA that, except in a few exceptional cases, the maximum sentence can be of seven years. The Constitutional Courts cannot allow provisions like Section 45(1)(ii) to become instruments in the hands of the ED to continue incarceration for a long time when there is no possibility of a trial of the scheduled offence and the PMLA offence concluding within a reasonable time. If the Constitutional Courts do not exercise their jurisdiction in such cases, the rights of the undertrials under Article 21 of the Constitution of India will be defeated. In a given case, if an undue delay in the disposal of the trial of scheduled offences or disposal of trial under the PMLA can be substantially attributed to the accused, the Constitutional Courts can always decline to exercise jurisdiction to issue prerogative writs. An exception will also be in a case where, considering the antecedents of the accused, there



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is every possibility of the accused becoming a real threat to society if enlarged on bail. The jurisdiction to issue prerogative writs is always discretionary."

13. In Padam Chand Jain's case (supra) placing reliance on its earlier judgment, the Hon'ble Supreme Court has observed that the main evidence in the case is documentary in nature, which is already seized by the prosecution agency, as such there is no possibility of the same being tampered with, and accordingly, granted bail to the accused.

14. In Arvind Dham's case (supra), the Hon'ble Supreme Court taking into consideration that the accused had cooperated for investigation which was completed and the maximum sentence provided is seven years, in paragraph no.20, has observed as under:

"20. *It is pertinent to note that various Benches of this Court, while taking into account the period of incarceration which ranges from 3 months to 17 months in several cases have granted bail to the appellants therein. In the instant case, no cognizance has been taken on the prosecution complaint and the proceeding is at the stage of scrutiny of documents. No material has been placed on record to show the fate of the application filed by the ED on 27-9-2025 seeking day-to-day hearing*



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even after period of approximately three months has expired. There are 210 witnesses to be examined in the proceeding. There is no likelihood of trial commencing in the near future. The continued incarceration in such circumstances, particularly where the evidence which is primarily documentary in nature, is already in custody of the prosecution, violates the right of the appellant to speedy trial under Article 21 of the Constitution of India."

15. The Hon'ble Supreme Court in the case of **P.KRISHNA MOHAN REDDY VS STATE OF ANDHRA PRADESH - 2025 SCC OnLine SC 1157**, placing reliance on the judgment in the case of **KASHMIRA SINGH VS STATE OF M.P. - (1952)1 SCC 275**, has observed that assuming for a moment that confession of a co-accused can be looked at the stage of anticipatory bail or even regular bail, as per the judgment in Kashmira Singh's case supra, such a confession can only be pressed into consideration by the court as a rule of prudence to lend assurance to the other evidence against such co-accused. Thus, there must exist other evidence on record before the court looks into such confession. Therefore, the court while considering the bail application is required to record a prima



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facie finding and cannot hold a mini trial delving into the merits of the case.

16. The Hon'ble Supreme Court in the case of **ANWAR DHEBAR VS DIRECTORATE OF ENFORCEMENT- (CRL.A.NO.(S) 2669 OF 2025)** following the law laid down in V. Senthil Balaji's case supra, taking into consideration the maximum punishment for the alleged offences and that there is no possibility of trial commencing in the near future, has granted bail to the accused. Similar view has been taken by the Hon'ble Supreme Court in the case of **ANIL TUTEJA V. DIRECTORATE OF ENFORCEMENT - (SLP (CRL.) NO.3148/2025.**

17. The present case is at pre-cognizance stage before the Trial Court. Learned Counsel for the petitioners has brought to the notice of this Court that documents in the present case runs upto 8103 pages and 10 charge-sheet witnesses have been cited. Therefore, chances of trial being completed and case being disposed of in the near soon is very remote.



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18. Considering the aforesaid aspects of the matter, I am of the opinion that the prayer made by accused nos.1 & 3 in the above petitions for grant of regular bail is required to be answered affirmatively, subject to appropriate conditions. Accordingly, the following order:

19. Criminal Petitions are allowed. The petitioners are directed to be enlarged on bail in ECIR/BGZO/01/2021 registered by the respondent for the offences punishable under Sections 3 and 4 of the Act of 2002, pending before the Court of Prl. City Civil & Sessions Judge and Special Judge for PMLA cases, Bengaluru City, subject to the following conditions:

a) Petitioners shall execute personal bond for a sum of Rs.1,00,000/- each with two sureties for the likesum, to the satisfaction of the jurisdictional Court;

b) The petitioners shall appear regularly on all the dates of hearing before the Trial Court unless the Trial Court exempts their appearance for valid reasons;



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c) The petitioners shall not directly or indirectly threaten or tamper with the prosecution witnesses;

d) The petitioners shall not involve in similar offences in future;

e) The petitioners shall not leave the jurisdiction of the Trial Court without permission of the said Court until the case registered against them is disposed off.

Sd/-
(S VISHWAJITH SHETTY)
JUDGE

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