



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO.569 OF 2024
(Arising out of S.L.P.(Criminal) No.12063 of 2023)**

**CHANDRAMA PARSAD SINGH @
CHANDRAMA PARSAD @ TUNTUN SINGH ... APPELLANT(S)**

VS.

THE STATE OF BIHAR & ANR. ... RESPONDENT(S)

O R D E R

Leave granted.

2. Heard the learned senior counsel appearing for the appellant and the learned Additional Solicitor General appearing for the second respondent.

3. The appellant is an accused in a complaint under the Prevention of Money Laundering Act, 2002 (for short "PMLA Act"). The allegation against the appellant is of commission of eight predicate offences which are mentioned at pages 218 and 219 of the paper book. According to the second respondent-Enforcement Directorate, all the offences form a part of the schedule of the PMLA Act. Thus, there are eight First Information Reports registered against the appellant in which allegation is of commission of scheduled offences.

4. We have carefully perused the complaint under the PMLA Act. *Prima facie*, we find that nothing is stated therein to even indicate that the proceeds of crime were derived or obtained as a result of any criminal activity relating to scheduled offences. The existence of proceeds of crime as defined in Section 2(u) of the PMLA Act is a condition precedent for the commission of offence of money laundering under Section 3 of the PMLA Act.

5. Therefore, on the basis of material placed on record, as of today, as far as the appellant is concerned, we find that both the grounds in clause (ii) of sub-section 1 of Section 45 of the PMLA Act have been satisfied in this case. Therefore, the appellant deserves to be enlarged on bail, pending the disposal of the complaint under the PMLA Act.

6. We make it clear that we are not making any adjudication as regards the role played by any other accused in the same complaint. At highest, the allegation against the appellant is of possession of unaccounted money and illegal acquisition of immovable properties. But, *prima facie*, there is nothing to link the assets of the appellant with the predicate offences.

7. Hence, the appellant shall be produced before the Special Court within a period of one week from today. The Special Court is free to impose appropriate terms and conditions while granting bail. The second respondent- Enforcement Directorate shall be heard before finalizing the terms and conditions.

8. We make it clear that the observations made in this order are only for the limited purposes of considering the prayer for grant of bail and all issues arising out of the complaint are left open

9. The appeal is accordingly allowed.

.....J.
(ABHAY S.OKA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
February 02, 2024.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 12063/2023

(Arising out of impugned final judgment and order dated 01-08-2023 in CRM No. 20273/2023 passed by the High Court of Judicature at Patna)

CHANDRAMA PARSAD SINGH@ CHANDRAMA PARSAD
@ TUNTUN SINGH

Petitioner(s)

VERSUS

THE STATE OF BIHAR & ANR.

Respondent(s)

(IA No. 192985/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 192986/2023 - EXEMPTION FROM FILING O.T.)

Date : 02-02-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s)

Mr. Basant R., Sr. Adv.
Mr. Amit Sharma, AOR
Mr. Ravi Kumar, Adv.
Mr. Jitendra Kumar Tripathi, Adv.
Mr. Saroj Endlaw, Adv.
Mr. Shashank Gaurav, Adv.

For Respondent(s)

Mr. Suryapraksh V Raj, A.S.G.
Mr. Mukesh Kumar Maroria, AOR
Mr. Annam Venkatesh, Adv.
Mr. Zoheb Hussian, Adv.
Mr. Arkaj Kumar, Adv.

Mr. Azmat Hayat Amanullah, AOR
Mr. T. G. Shahi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

The appellant shall be produced before the Special Court within a period of one week from today. The Special Court is free to impose appropriate terms and conditions while granting bail. The second respondent-Enforcement Directorate shall be heard before finalizing the terms and conditions.

Pending applications also stand disposed of.

(ANITA MALHOTRA)

AR-CUM-PS

(AVGV RAMU)

COURT MASTER

(Signed order is placed on the file.)