HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous 2nd Bail Application No. 16961/2026
CNR: RJHC021035522026 | URN: CRLMB / 31291U / 2026

Baljeet Yadav S/o Gopi Ram Yadav, R/o 26, Gyan Vihar, Ajmer Road, Jaipur (Rajasthan) (Presently Confined In Central Jail Jaipur).

----Petitioner

Versus

Directorate Of Enforcement, Through Special PP

----Respondent

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For Petitioner(s)	:	Mr. Chitransh Saxena Mr. Ashish Yadav Mr. Ajeet Sharma
For Respondent(s)	:	Mr. Ajatshatru Mina Ms. Rhythm Shrimal Ms. Riya Mendiratta

HON'BLE MR. JUSTICE RAVI CHIRANIA

Order

1.	Date of conclusion of Arguments	29.10.2026
2.	Date on which the judgment was reserved	29.10.2026
3.	Whether the full judgment or only operative part is pronounced	Full
4.	Date of pronouncement	04.11.2026

1. This second bail application u/s 483 BNSS has been filed after the first bail application was dismissed by this Court vide order dated 30.06.2026 affirmed by the Hon’ble Apex Court by dismissing the SLP (Criminal) No.13232/2026 vide order dated 15.09.2026.

2. Learned counsel for the petitioner submitted that bail is rule and jail is exception and no person can be kept behind the bars for an indefinite period, more so, when the trial is yet to commence

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even after being in judicial custody for approximately 9 months from February 2026. Learned counsel further submitted that the complaint in regard to the allegations leveled in the present case made in the year 2023. The petitioner provided complete cooperation by appearing before the investigating agencies, despite that he was arrested in February, 2026. It was further submitted that the petitioner is the only person who has been arrested by the respondent-Enforcement Directorate in the present case uptil now, when the allegations are against many persons who are alleged to be co-accused in this case.

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3. Learned counsel for the petitioner further submitted that the persons alleged to be co-accused in the case, have neither been arrested nor interrogated till date. It is submitted that the learned trial Court, vide order dated 03.10.2026, rejected the application seeking issuance of non-bailable warrants against the persons namely, Naveen Sharma, Raj Mohan Singh, Sitaram Gurjar and Gangaram Meena (co-accused in the case) by recording various reasons, which indicate that the complete act and approach of the respondent-Enforcement Directorate is casual and non-serious as no effective efforts were made to interrogate and arrest the said persons. Learned counsel contended that the respondent is now opposing the present bail application only on account of the fact that the co-accused persons are yet to be arrested and interrogated and the investigation would be complete only after filing of the charge-sheet against the co-accused persons also.

4. Learned counsel for the petitioner further submitted that there had been no interrogation/remand by the investigating agency from the date of last bail rejection order, thereby stressing

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on the fact that prosecution /respondent has no reason to justify the continued judicial custody of the petitioner in the present circumstances of the case.

5. Learned counsel for the petitioner further argued and pointed out various relevant dates of the case, from the inception of the case till today, to show that defects in the complaint/charge-sheet were kept pending for removal by the prosecution, for unreasonably more than 4 months, which shows the intention of the prosecution to unnecessarily delay the trial.

6. Learned counsel for the petitioner further submitted that the present case involves substantial number of witnesses, extensive evidence and voluminous charge-sheet which is in the process before the learned trial court; whereby the trial cannot be completed in a definite span of period and possibility of lengthy trial cannot be over-ruled in the circumstances of the present case. Learned Counsel further stressed upon the fundamental right to life and personal liberty under Article 21 of the Constitution of India. Learned counsel also contended that a person cannot be kept behind the bars for an indefinite period under the circumstances as involved in the present case. In view of the above, learned counsel prayed that the petitioner be enlarged on bail by this Court.

7. Per Contra, learned counsel appearing on behalf of the Enforcement Directorate, Mr. Ajatshatru Mina, assisted by Ms. Apeksha Tiwari, strongly opposed the bail application and submitted that the investigation is still incomplete as co-accused persons are yet to be arrested and interrogated and, therefore, the investigation cannot be said to have been completed. He also

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argued that there has been no change in circumstances since the rejection of the petitioner's first bail application by this Court and the subsequent dismissal of the SLP by the Hon’ble Apex Court.

8. Learned counsel further informed this Court that an FIR bearing No. 191/2026 dated 09.09.2026 was registered against the petitioner at Police Station Lal Kothi, District Jaipur City (East), due to alleged possession of a mobile phone in jail, for offence under Section 42 of The Prisons (Rajasthan Amendment) Act, 2015. In view of the aforesaid submissions, learned counsel prayed that in the absence of any change in circumstances, the petitioner does not deserve to be enlarged on bail.

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9. Heard learned counsel for the parties and considered the various arguments as made and documents referred by the respective counsel.

10. The investigation against the petitioner, in-respect of the allegations, was initiated in the year 2023, first by state investigating agency and then by central investigating agency herein. Thereafter, as noted from the order dated 03.10.2026, passed by the learned trial Court, respondent has been denied permission for issuance of non-bailable arrest warrant against co-accused persons, noticing lack of serious interest from the various dates recorded in the order. No steps were taken by the investigating agency to interrogate or arrest other persons who are alleged to have conspired with the petitioner in the commission of the alleged offence. Therefore, it is apparent that agency has shown lack of interest in taking any action against above noted co-accused.

11. As far as petitioner is concerned, he appeared before the investigating agency and extended all necessary cooperation. The

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first bail application was dismissed vide order dated 30.06.2026. Thereafter, the investigation against the petitioner was completed after filing of the supplementary complaint on which respondent counsel has substantially relied upon.

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12. Pendency of the investigation in the case against co-accused, on the above discussed reasons, cannot be read against the petitioner, particularly when the investigating agency itself has taken no steps to arrest or interrogate them as noted from the order dated 03.10.2026. Further, the law laid down by the Hon'ble Apex Court is well settled that bail is the rule and jail is an exception. The petitioner is behind bars since February 2026, i.e., for a period of approximately nine months, and the trial has not yet commenced. Further, all the documents pertaining to the petitioner in the present case have already been collected and supplementary complaint has been filed. No recovery is required to be effected from the petitioner. This Court is of the view that the liberty of any person cannot be curtailed for an indefinite period and no person can be kept behind the bars for an indefinite period in the facts and circumstances of the present case.

13. As far as the FIR bearing No. 191/2026 is concerned, this Court noted that the registration of the said FIR is not conclusive evidence of any event and the investigation is still in under process.

14. Accordingly, in view of above discussion, this second bail application filed under Section 483 BNSS is allowed and it is directed that accused-petitioner **Baljeet Yadav S/o Gopi Ram Yadav** shall be released on bail in connection with FIR No.ECIR/JPZO/19/2024 dated 24.12.2024 for the offence punishable under Sections 3 read with Section 4 of the Prevention

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of Money Laundering Act, 2002, provided he executes a personal bond in a sum of Rs.1,00,000/- along with two sound and solvent sureties of Rs.50,000/- each to the satisfaction of the learned trial Court for his appearance before that Court on each and every date of hearing and whenever called upon to do so till the completion of the trial and shall co-operate in the trial as per direction of the learned trial court.

15. The petitioner is further directed not to take undue advantage of liberty or misuse the liberty. It is made clear that the observations as made by this Court in the bail application will not affect the trial of the case. He shall not leave the country without the prior permission of the trial Court.

(RAVI CHIRANIA),J

PAYAL DHAWAN

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