HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 6697/2026

Baljeet Yadav Son Of Gopi Ram Yadav, Resident Of 26, Gyan Vihar, Ajmer Road, Jaipur (Rajasthan) (Presently Confined In Central Jail Jaipur)

----Petitioner

Versus

Directorate Of Enforcement, Through Special Public Prosecutor.

----Respondent

For Petitioner(s) : Mr. Kapil Gupta with
Mr. Ashish Yadav,
Mr. Aval Yadav

For Respondent(s) : Mr. Zoheb Hussan, Special counsel
assisted by Ms. Apeksha Tiwari,
Mr. Manavi Sharma,
Mr. Rhythm Shrimal,
Mr. Pranjal Tripathi

HON'BLE MR. JUSTICE RAVI CHIRANIA (V.J.)

<u>Order</u>

1.	Date of conclusion of Arguments	25.06.2026
2.	Date on which the order was reserved	25.06.2026
3.	Whether the full order or only operative part is pronounced	Full
4.	Date of pronouncement	30.06.2026

1. The petitioner, being a former Member of Legislative Assembly (MLA) from Constituency Behror, District Alawar, has approached this Court under Section 483 of BNSS, 2023 for grant of regular bail in connection with ECIR/ JPZO/19/2024 dated 24.12.2024 for the offences punishable under Sections 3 read with 4 of Prevention of Money Laundering Act, 2002.

2. Mr. Kapil Gupta, learned counsel for the petitioner, submitted that the petitioner was arrested by the Enforcement Directorate (ED) on 03.02.2026. He further submitted that prior thereto, the Anti-Corruption Bureau (ACB), Rajasthan, had registered FIR No. 287/2024 dated 12.12.2024 alleging commission of offences punishable under Sections 7(3), 13(1)(a) read with Section 13(2), and Section 12 of the Prevention of Corruption Act, 1988, Sections 409 and 120-B of the Indian Penal Code, 1860, and Section 41 of the Rajasthan Transparency in Public Procurement Act, 2012.

3. Learned counsel submitted that the petitioner challenged the prosecution sanction before the Coordinate Bench by filing Criminal Miscellaneous Petitions Nos. 1898/2024 and 1778/2024 under Section 528 BNSS, 2023, wherein the Coordinate Bench, vide order dated 07.04.2025, granted interim protection by staying the prosecution sanction dated 22.08.2024 as well as further proceedings qua the petitioner.

4. Learned counsel contended that once the proceedings in respect of the scheduled offence were stayed, the Enforcement Directorate could not have initiated or continued proceedings based on the very same allegations, and therefore, the arrest of the petitioner is illegal and perverse.

5. It was also submitted that the petitioner has separately challenged the proceedings initiated by the ED by filing a Criminal Miscellaneous Petition, which is pending before the Coordinate Bench of this Court. It was further argued that registration of the ECIR under the Prevention of Money Laundering Act, 2002, on the basis of allegations already under investigation under the Prevention of Corruption Act, is impermissible.

6. It was further argued that since no recovery remains to be effected, the investigation by both ACB and Enforcement Directorate stands completed, and the charge-sheet has already been filed, no useful purpose would be served by continued incarceration of the petitioner

7. Per contra, Mr. Zoheb Hussain, Special counsel appearing for the ED assisted by Mr. Apeksha Tiwari strongly opposed the bail application by submitting that the registration of case by ACB cannot be a legal hurdle for ED to register a case under PMLA as questioned by the petitioner here. In support of the same, he cited various judgments and orders passed by the Hon’ble Apex Court where the similar issue travelled from various High Courts to the Hon’ble Apex Court.

8. Learned counsel further specifically referred to the money trail which is in respect of 32 tenders as floated for the illegal purchase of sports equipments for schools. By referring to that, learned counsel specifically said that the ED, after the investigation, has rightly proved the money trail which shows the conduct of the petitioner in the present case.

9. Heard learned counsel for the parties and perused the material available on record.

10. This Court has considered the nature and gravity of the allegations as set out in the complaint filed by the ED. The investigation reveals that the petitioner, while serving as an MLA, allowed his MLA Local Area Development (LAD) funds to be misued for the purchase of sports equipment through floating of 32 tenders, which, according to the investigation conducted by the

ED, were illegal and constituted a classic case of diversion of public funds.

11. Having regard to the overall facts and circumstances of the case, this Court is not inclined to entertain the present bail application at this stage.

12. Consequently, the bail application is dismissed.

(RAVI CHIRANIA (V.J.)),J

PAYAL DHAWAN