



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



D.B. Civil Writ Petition (PIL) No. 4014/2025

Public Against Corruption, Bearing Registration Certificate No. Coop/2019/jaipur/105198, Through Its Secretary Vinod Kumar Modi Son Of Shri Madan Lal Modi, Aged About 59 Years, Resident Of G-2, Vishwa Enclave, 1265-66, Rani Sati Nagar, Nirman Nagar Jaipur.

----Petitioner

Versus

1. Union Of India, Through Secretary, Ministry Of Finance, Finance Department, North Block, New Delhi
2. The Enforcement Directorate, Through The Joint Director, Enforcement Directorate, Lic Building, Ambedkar Circle, Jaipur-302015
3. The Anti Corruption Beauru, Jhalana Doongi, Jaipur Through Its Director General Of Police
4. Mrs Munesh Gurjar W/o Shushil Kumar Gurjar, R/o A-3 Adarsh Colony Shanti Nagar, Jaipur

----Respondents

For Petitioner(s) : Dr. T.N. Sharma, Adv.
Mr. P.C. Bhandari, Adv.

For Respondent(s) : Mr. Bharat Vyas, ASG with
Mr. Akshay Bhardwaj, Adv.
Mr. Rajat Meena, Adv.

**HON'BLE THE ACTING CHIEF JUSTICE MR. SANJEEV PRAKASH SHARMA
HON'BLE MR. JUSTICE BALJINDER SINGH SANDHU**

Order

07/10/2025

1. This is a PIL preferred by the petitioner which is a registered society formed to fight against corruption having a registration certificate dated 11.10.2019.
2. Learned counsel for the petitioner has invited our attention to an incident of 04.08.2024 where a cash amount of Rs.



41,55,500/- was stated to have been seized during a raid at the residence of then Mayor of Jaipur Heritage Mrs. Munesh Gurjar and her husband Mr. Sushil Kumar Gurjar. The details of the amount were stated to be available in the seizure report prepared by the Anti-Corruption Bureau.

3. It is the contention of the learned counsel for the petitioner that receipt of such a large amount of cash without any sufficient reason coming forward, would amount to constitute an offence in terms of Section 3 of the PMLA. The Enforcement Directorate must be directed to conduct an inquiry and investigation in the matter then register the case under the provisions of the PMLA. Learned counsel for the petitioner has stated that there is no person claiming the said amount and the source of that amount has not been found even till date, while charge-sheet has been filed against the concerned Mayor, her husband and some other persons under the Prevention of Corruption Act, 1988(hereinafter referred as the '*Act of 1988*'). At the same time, since huge amount has been seized, the same needs to be additionally investigated by the Enforcement Directorate.

4. We had directed the respondent No.2 to file their counter-affidavit and counter-affidavit has been filed, wherein it has been stated that a raid had been conducted by Anti-Corruption Bureau and an FIR No. 213/2023 was registered on 06.08.2023 for offences under Section 7(A) of the Act of 1988 along with Section 120(B) of Indian Penal Code.

5. Learned counsel for the respondents, however, submits that so far as the cash amount is concerned, the Enforcement Directorate has taken note of it and shall refer the matter to Risk





Assessment Monitoring Committee (RAMC). An additional affidavit has been filed on 07.10.2025, which reads as under:-

"That the Risk Assessment Monitoring Committee (RAMC) meeting was convened under the supervision of the Director, Directorate of Enforcement on 09.07.2025 and the matter concerning Smt. Munesh Gurjar was discussed. Further, since the proceeds of crime as cited in the charge-sheet is relatively low i.e. Rs. 3.5 lakh, and the ACB is yet to establish a link between the Rs. 41 lakh cash recovered from the residence of Smt. Munesh Gurjar and the bribery scandal, it was therefore not considered appropriate to recommend the recording of an Enforcement Case Information Report (ECIR) in the matter at this stage. Additionally, if at a later stage the quantum of proceeds of crime in the said matter increases or a larger economic conspiracy is unearthed, the case will be reconsidered for recording of the ECIR."

6. Learned counsel for the respondents also submits that in terms of the guidelines laid down by the Enforcement Directorate, the matter relating to petty amounts are being examined and investigated at the level of Anti-Corruption Bureau, and only cases involving an amount of rupees one crore or above that are taken up by the Enforcement Directorate.

7. We have considered the submissions.

8. We notice that in a raid conducted by Anti-Corruption Bureau, the amount of Rs.41,55,500/- stated to have been seized from the house of the Mayor-Mrs. Munesh Gurjar and an FIR No.213/2023 was registered on 06.08.2023, wherein it has been alleged that husband of the Mayor-Mrs. Munesh Gurjar had collected amount from various persons. The complainant further alleged that he had himself paid a bribe of Rs. 50,000/- on 17.07.2023, Rs.1 lac on 25.07.2023 and Rs.2 lac on 04.08.2023 for getting a lease for land. We also notice that Anti-Corruption Bureau conducted an investigation and filed charge-sheet No.171/2024 on 19.09.2024 which allegedly details a bribe





amount of Rs.3.5 lac having been received by the concerned delinquent accused. The investigation has concluded and matter is pending in Court.

9. As regards Enforcement Directorate proceedings, this Court shall refrain from giving its own opinion as to whether in one particular case or another, ED proceedings should be initiated or not and we leave it always open for the concerned authorities to take a decision. It is only when the proceedings are placed for trial before the competent Court that cognizance of any offence or allegations can be taken, however, observations of any nature in writ petition would affect the trial both before the ACB Court or any other authority and may also harm the concerned persons who are facing trial. We therefore, did not find it a case where interference is required to be done by the High Court nor we consider it to be a case of Public Interest Litigation.

10. D.B. Civil Writ Petition (PIL) No. 4014/2025 is accordingly, dismissed.

11. The amount deposited by the petitioner shall be accordingly forfeited.

12. All pending application(s), if any, stand disposed of.

(BALJINDER SINGH SANDHU),J

(SANJEEV PRAKASH SHARMA),ACJ

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