

Sayali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**SAYALI
DEEPAK
UPASANI**

Digitally signed by
SAYALI DEEPAK
UPASANI
Date: 2025.06.12
15:13:46 +0530

**FEMA APPEAL NO.02 OF 2025
WITH
INTERIM APPLICATION NO.3995 OF 2025
AND
FEMA APPEAL NO.04 OF 2025
WITH
INTERIM APPLICATION NO.3993 OF 2025**

Alliance and Leicester Ltd ...Appellant

Versus

Enforcement Directorate thr.
Special Director. ...Respondent

Mr Abhishek Adke, for Appellant.
Mr Anil D. Yadav, for Respondent No. 1.

**CORAM: M.S. Sonak &
Jitendra Jain, JJ.**

DATED: 11 June 2025

PC:-

1. Heard Mr. Abhishek Adke, learned Counsel for the Appellant and Mr. Anil Yadav, for Respondent.

2. We admit this Appeal on the following question of law:

1. Whether the charge of abetment that has been levied on the Appellant is sustainable when the principal accused has been discharged with the finding "From the entire gamut of the case, no material is found to establish that the banks and

its official are involved in any conspiracy directly or indirectly, intentionally or deliberately for the said lapse.?

3. Mr. Abhishek Adke places on record the order dated 02 May 2025 by which this Court disposed of several Appeals instituted by the Directorate of Enforcement against the Tribunal's order exonerating the principal accused.
4. He submits that by this order, the exoneration of the principal accused persons/entities has attended finality. He submits that the present Appellant was only alleged to have abetted the principal accused persons/entities. He therefore submits that in view of the exoneration of principal accused persons/entities, this charge of abetment cannot be sustained.
5. Mr. Anil Yadav waives service after admission.
6. We place this Appeal for final disposal on 18 June 2025.

(Jitendra Jain, J)

(M.S. Sonak, J)