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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 1342/2020, CRL.M.A. 11823/2020 (stay)

MAHENDER KUMAR KHANDELWAL .....Petitioner

Through: None

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Zoheb Hossain, Special Counsel  
with Mr. Anupam S. Sharma, Special  
Counsel, ED with Mr. Vivek Gurnani,  
Panel Counsel ED with Mr. Suradhish  
Vats, Mr. Chinmaye and Mr. Kunal  
Kochar, Advocates for ED.

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

**17.02.2025**

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1. Writ Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (*hereinafter referred to as 'CrPC'*) has been filed on behalf of the Petitioner, Mahender Kumar Khandelwal with the following prayers:-

- A. *Issue a Writ of Certiorari or any other appropriate writ, order or direction quashing the Summons dated 19.08.2020 and 22.08.2020 issued by the Respondent No. 2/3 to the Petitioner herein in relation to ECIR/DLZO/I/02/2019 dated 25.04.2019 and all consequential proceedings emanating therefrom qua the Petitioner herein; and*
- B. *Issue a Writ of Certiorari or any other appropriate writ, order or direction directing the entire search and seizure proceedings conducted by the Respondent ED on*



*19.08.2020/ 20.08.2020 at the Gurgaon as well as Dwarka residence of the Petitioner herein to be illegal and quashing all consequential proceedings emanating therefrom qua the Petitioner as being violative of Articles 14 and 21 of the Constitution; and*

- C. Issue a Writ of Mandamus or any other appropriate Writ, Order or Direction directing the Respondent No. 2/ 3 to not take any coercive action against the Petitioner herein in ECIR/DLZO/I/02/2019 dated 25.04.2019; and*
- D. Pass such other or further order(s) or directions (s) as this Hon'ble Court deem fit and proper in the interest of justice."*

2. The first prayer was to quash the Summons dated 19.08.2020 and 22.08.2020, issued by the Respondent Nos. 2 and 3 to the Petitioner.

3. *Learned counsel on behalf of the Respondents* has stated that these two dates have already gone and the summons dated 19.08.2020 and 22.08.2020 had been issued under Section 50 of the PMLA and they have become infructuous.

4. The second prayer was in respect of the challenging the search and seizure proceedings conducted by the Respondent No. 2/Directorate of Enforcement on 19.08.2020/20.08.2020 at Gurgaon, as well as, Dwarka residence of the Petitioner. However, the search and seizure had been challenged by way of a separate Writ Petition bearing WP(C) No. 10993/2023 and therefore, the same has also become infructuous.

5. Insofar as, not to take coercive action is concerned, that is only an interim Order when the first two Orders have become infructuous, the interim prayer also become infructuous.

6. **Submissions heard and the record perused.**

7. None has appeared on behalf of the Petitioner.



8. The prayers as made, have become infructuous, as rightly stated on behalf of the respondents. Accordingly the Petition is disposed of for non-prosecution and being infructuous. Pending Application, if any, also stands disposed of.

**NEENA BANSAL KRISHNA, J**

**FEBRUARY 17, 2025/RS**