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

\+ W.P.(CRL) 2756/2023

KISSANUDEY SAMITI OM KAR .....Petitioner

Through: Mr. Shiv Charan Garg, Ms. Jahanvi Garg, Advocates

versus

THE UNION OF INDIA & ORS. .....Respondents

Through: Mr. Vikrant N Goyal, Mr. Arun Kumar Yadav, Mr. Kunal Dixit, Mr. Prince Balyan, Advocates for UOI
Mr. Zoheb Hossain, Special Counsel with Mr. Vivek Gurnani, Panel Counsel and Mr. Kartik Sabharwal, Advocate for ED
Mr. Arshdeep Singh Khurana, Mr. Himanshu Kasturi, Advocates for R-3
Ms. Vinny, Mr. Rishabh, Advocates for R-5

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

O R D E R

% 25.08.2025

1. The present writ petition filed under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 482 of the Code of Criminal Procedure, 1973) seeks the following reliefs:

> *"A. Issue appropriate writs, direction*
> *B. Direction may be issued to the respondent's no. 1 and 2 to consider the representation dated 31.07.2022 of the petitioner and gave outcome of the representation to the petition within 8 Weeks of the receipt of the petition.*
> *C. Direction may be issued to Respondent No. 2 to file status report*

about the investigation conducted in this matter so far.

D. Any other or further relief which this Hon'ble Court may be deem fit and proper in the facts and circumstances of the case may be passed in favour of the petitioner."

2. Respondents have objected to the maintainability of the petition, contending that the Petitioner has failed to establish locus standi and that the present proceedings cannot be treated as a public interest litigation in the absence of compliance with the Delhi High Court Rules. While such objections are not without substance, it must be noted that this Court by order dated 22nd September, 2023, called for a status report from the Enforcement Directorate in order to satisfy itself about the steps being undertaken in the matter.

3. In compliance with the aforenoted order, the Directorate of Enforcement (Respondent No. 2), have filed a status report delineating status of the investigations under the Prevention of Money Laundering Act, 2002 as follows:

"A. STATUS WITH BRIEF FACTS OF INVESTIGATION CONDUCTED UNDER PMLA, 2002

5. That the present matter pertains to four cases registered under the Prevention of Money Laundering Act, 2002 (hereinafter referred to as "the PMLA, 2002" or "PMLA", initiated by the Directorate of Enforcement on the basis of scheduled offences committed under the provisions of Air (Prevention and Control of Pollution) Act, 1981 (hereinafter referred to as "Air Act") and the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as "Water Act"). These scheduled offences are subject matter of Criminal Complaints filed by Haryana State Pollution Control Board (hereinafter referred to as "HSPCB"), Government of Haryana before the Ld. Special Environmental Court at Kurukshetra against four companies engaged in development of their real estate projects at Kundli, Sonipat in respective Sections of Water Act and Air Act.

6. That HSPCB filed a Criminal Complaint No. 31/2020 dated 17th August, 2020 against- M/s Parker Estate Developers Pvt. Ltd. (Accused No.1) and its directors- Mr. Manish Garg (Director), Mr.

Ravinder Mohan Garg (Director) and Mr. Manohar Lal (Director) (Accused No. 2 to 4) in the Court of Ld. Special Environment Judge, Kurukshetra.

7. That similarly, HSPCB Sonipat filed a Criminal Complaint No.26/2020 dated 17.08.2020 against M/s Pardesi Developers Pvt. Ltd. (Accused No. 1) and three of its Key Managerial Persons Virender Kumar Pardesi (Director), Satish Kumar Luthra (Director) and Reena Dwivedi (Company Secretary) (Accused No.2 to 4) in the Ld. Special Environment Court, Kurukshetra.

8. That likewise, HSPCB Sonipat also filed a Criminal Complaint No. 30/2020 dated 17th August, 2020 against M/s Narang Construction and Financiers Pvt. Ltd. (Accused No.1) and Mr. Rajpal Narang, Mrs. Asha Narang, Mrs. Sumita Narang, Mr. Satish Narang (Accused No.2 to 5) in the Ld. Special Environment Court, Kurukshetra.

9. That besides above, HSPCB Sonipat filed three Criminal Complaints bearing nos. CRM-M/2020/27, CRM-M/2020/28 & CRM-M/2020/29 dated 17th August, 2020 in the Ld. Special Environment Court, Kurukshetra against M/s TDI Infrastructure Ltd. (Accused No.1) and its Directors under Section 43, 44, 47 of the Water (Prevention & Control of Pollution) Act, 1974 (hereinafter referred to as "Water Act") for violation of Section 24 and 25 of the Water Act and under Section 37 and 40 of the Air (Prevention & Control of Pollution) Act, 1981 (hereinafter referred as "Air Act") for violation of Section 21 of the Air Act, for its three residential townships namely "Kingsburry Apartments', "My Floor 2" and "Tuscan City" located at Kundli, Sonipat, Haryana.

10. That the above Criminal Complaints of HSPCB inter alia invoked violation of Section 24 of Water Act, 1974, punishable U/s 43 of the said Act, and violation of Section 21 of Air Act, 1981, punishable Us 37 of the said Act. Since offence under Section 43 of the Water Act under Section 37 of Air Act (till 13th August, 2024) being scheduled offence under PMLA, Respondent Directorate initiated PMLA investigations of four different cases based on the aforesaid Criminal Complaints filed by HSPCB, against the following four companies, their directors/promoters and others, for the commission of offence of money-laundering, as defined U/s 3 of the PMLA, 2002:

(i) M/s. TDI Infrastructure Ltd. vide ECIR/GNZO/14/2023 dated 31st March, 2023

(ii) M/s. Parker Estate Development Pvt. Ltd. vide ECIR/GNZO/13/2023 dated 31st March, 2023

(iii) M/s. Pardesi Developers Pvt. Ltd. vide ECIR/GNZO/15/2023 dated 31st March, 2023

(iv) M/s. Narang Construction & Financiers Pvt. Ltd, vide ECIR/GNZO/12/2023 dated 31st March, 2023.

11. In all the above four PMLA cases, the Directorate has been conducting investigation into the proceeds of crime, defined U/s 2(1)(u) of the PMLA, 2002, generated out of aforesaid alleged violations of Air Act, 1981 and Water Act, 1974, which are mentioned in the schedule appended to the PMLA and known as predicate offences, and activities & processes connected to said proceeds of crime while at the same time accused persons involved in the offence of money-laundering, as defined U/s 3 of PMLA, punishable U/s 4 of PMLA.

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22. Thus, the outcome of investigation conducted by Respondent Directorate is as follows-

ECIR/GNZO/14/2023; M/s TDI INFRASTRUCTURE LTD.

(i) Provisional Attachment Order (PAO) No. 11/2025 (28.03.2025): Attachment of 8 immovable properties in TDI Mall valued at 85.61 Crore under Section 5(1) PMLA.

• Original Complaint No. 205 filed U/s 5(5) PMILA before Ld. Adjudicating Authority (PMLA), New Delhi.

• Final hearing completed (20.08.2025), but issuance of final order under Section 8 PMLA stayed by Hon'ble Punjab & Haryana High Court in CWP No. 23504/2025.

(ii) Prosecution Complaint (21.05.2025):

• Filed before Special Court (PMLA), Panchkula as COMA/13/2025 under Sections 44 & 45(1) PMLA.

• Accused: The company and its directors/promoters.

• Present stage: Matter fixed for arguments on cognizance (29.08.2025).

• Meanwhile, accused have challenged the notice for hearing on taking cognizance of the Ld. Special Court before Hon'ble Punjab & Haryana High Court in CRM-M-41195/2025, which is listed on 27.08.2025.

***M/s NARANG CONSTRUCTION & FINANCIERS PVT. LTD. (ECIR/GNZO/12/2023), M/s PARDESI DEVELOPERS PVT. LTD. (ECIR/GNZO/15/2023) AND M/s PARKER ESTATE DEVELOPMENT PVT. LTD. (ECIR/GNZO/13/2023)**:*

• Summons issued to directors of companies and HSPCB officials

(Assistant Environmental Engineers) & other departments U/s 50 of PMLA.

• Statements recorded under Section 50 of PMLA.

• Relevant documents/records collected and scrutinized."

4. From the status report, it is evident that the Directorate of Enforcement has already registered four ECIRs against different companies, their directors, and associated persons, and is actively investigating the offence of money-laundering under Sections 3 and 4 of the PMLA. The Directorate has recorded statements, collected documents, issued summons, and in one case, even proceeded to file a prosecution complaint and pass a provisional attachment order, which is currently pending adjudication before the competent authorities and courts.

5. In light of the above, since it is apparent that the competent statutory authority has already initiated and is pursuing investigation under the Prevention of Money Laundering Act, 2002, no further intervention from this Court is warranted or called for at this stage.

6. Accordingly, the present petition is disposed of.

7. The Directorate of Enforcement is requested to carry out the investigation as expeditiously as possible.

SANJEEV NARULA, J

AUGUST 25, 2025/ab