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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 455/2025, CRL.M.A. 33366/2025 & CRL.M.A.
33367/2025

HARMEET SINGH OBEROIPetitioner

Through: Mr. Divyansh Jain, Mr. Paritosh Jain
and Mr. R. Madhav Bera, Advocates.

versus

ENFORCEMENT DIRECTORATERespondent

Through: Mr. Vivek Gurnani, Panel counsel
along with Mr. Kanishk Maurya,
Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER
12.11.2025

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1. The present petition under Section 438 read with Section 528 of the
Bhartiya Nagarik Suraksha Sanhita, 2023¹ assails order dated 31st October,
2025, passed by ASJ-02, South-East, Saket Courts, Delhi, in proceedings
under the Prevention of Money Laundering Act (PMLA), 2002. The
impugned order reads as follows:

- “1. Today, the matter is fixed for arguments on the point of
cognizance.
2. Arguments on point of cognizance heard on behalf of accused no.
2.
3. Ld. Counsel for accused no. 3 seeks adjournment due to some
personal difficulty. Same is granted.
4. Ld. Counsel for accused no. 4 submits that he has moved two

¹ “BNSS”



application one u/sec. 231 BNSS and u/sec. 94 BNSS. Reply has been filed by ED to aforesaid application u/sec. 231 BNSS stating that copy of documents supplied with ECIR are in the same format which is available with the ED. Copy of the pen-drive in compliance of application u/sec. 231 BNSS containing the copy of documents are supplied in the court today.

5. At this stage, Ld. Counsel for accused no. 4 submits that the application u/sec. 94 BNSS moved on behalf of accused no. 4 is for the reason that the investigating agency/ ED has not supplied the documents which are forming part of their investigation only with the intention to let the accused no. 4 bring on record the final report of the Financial Auditor M/s. Currie & Brown. Further, the retraction statement given by accused no. 4 containing several documents have also been not filed by ED which shows that no cognizance can be taken against accused no. 4.

6. Ld. Spl. PP for ED submits that the documents at the stage of cognizance which is the ECIR has already been provided to the accused as required under law/ requirement u/sec. 223 BNSS and the documents in the nature of unrelayed documents shall be provided at appropriate stage in terms of the judgment of Sarla Gupta & Anr Vs. Directorate of ED. Crl. Appeal No. 1622/2022.

7. At this stage, Ld. Counsel for accused no. 4 submits that he be permitted to at least refer to the Currie & Brown Report which is furnished by Financial Auditor and forms part of the order HRERA and also has been relied upon in the predicate offence by EOW and finds mention in the list of the documents of the charge-sheet filed before Ld. Trial Court in the predicate offence.

8. I have Ld. Spl. PP for ED and Ld. Counsel for accused no. 4 in this regard and in my considered view, at the stage of cognizance, the ECIR filed along-with the documents relied upon by the prosecution, are required to be taken into consideration and since ED has already stated today that the aforesaid report of M/s. Currie & Brown, was not seized at the time of investigation, it cannot be supplied to Ld. Counsel for accused no. 4 at this stage.

9. However, considering that the report of M/s. Currie & Brown (Financial Auditor) has already been part of charge-sheet filed in the predicate offence, I find no impediment in allowing accused no. 4 to refer to the same during the course of arguments. rest of the documents which are sought to be given by ED which are mentioned in the aforesaid application do not forms part of ECIR and cannot be supplied at this stage.

10. Copy of the report of M/s. Currie & Brown may be also supplied by accused no. 4 during the course of arguments to the Court.

11. Aforesaid applications u/sec. 94 BNSS and u/sec. 231 BNSS qua accused no. 4 stands disposed of, accordingly.

12. At this stage, Ld. Counsel for accused no. 5, 10 and 13 submits that they do not wish to argue on the point of cognizance.



13. However, Ld. Spl. PP for ED submits that accused no. 5 till date has not joined the investigation in the present matter and they shall take appropriate steps qua accused no. 5.

14. Ld. Counsel for accused no. 5 submits that since he has appeared in the pre-cognizance stage, no coercive steps can be taken against him.

15. Ld. Counsel for accused no. 19 has already filed written submission and seeks permission to argue the matter at 2 pm today as the main arguing counsel shall appear today at 2 pm.

16. Ld. Counsel for accused no. 11 & 20 seek time to argue.

17. All accused who have not filed their written submission, are directed to file their written submission, if any, before next date of hearing.

In view of the submissions made today, put up for arguments on behalf of accused no. 3, 4, 11, 12 and 20 on 10.11.2025 to 15.11.2025 on day to day hearing.

Arguments on point of cognizance heard on behalf of accused no. 19 today.

Put up for arguments on the date already fixed today i.e. on 10.11.2025 to 15.11.2025 on day to day hearing."

[Emphasis Supplied]

2. The Petitioner, arrayed as accused No. 4, had sought directions under Section 94 BNSS for supply of all unrelayed documents collected during investigation, including the Currie & Brown report and other material relating to the Greenopolis and Woodview projects. The prayer clause reads as follows:

In view of the foregoing submissions, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to:

a) Allow the present application & summon the Complainant to produce all un-relayed documents collected during the investigation including the report prepared by the Currie & Brown, Tally documents of the Globus & pen drive containing the documents pertaining to the Greenopolis project seized from the premises Accused No.2, loose sheets seized from the premises of Accused No. 1, all the documents seized pertaining to the Greenopolis Project & Woodview Project from the premises of Orris Infrastructure Pvt. Ltd & details gathered by the Complainant regarding the aforesaid cheque payments from the bank officials of the Globus Constructions.

b) Alternatively, direct the Complainant to furnish the aforesaid documents in the record of this Hon'ble court & allow the



Complainant to inspect the court records.

c) Direct the Complainant to furnish a list of un-relied documents as referred to in paragraph no. 11 above.

d) Pass any other or further order(s) as this Hon'ble Court may deem fit and proper on the facts and the circumstances of the case.

3. Additionally, the Petitioner also filed an application under Section 231 of BNSS seeking the following reliefs: -

In view of the foregoing submissions, it is most respectfully prayed that this Hon'ble Court may kindly be pleased to:

a) Allow the present application and be pleased to direct the Complainant to furnish legible and readable copies of the documents referred to in Annexure-A.

b) Pass any other or further order(s) as this Hon'ble Court may deem fit and proper on the facts and the circumstances of the case.

4. Counsel for the Petitioner clarifies at the outset that the request is confined to the Relevant Underlying Documents (RUDs), and no unrelieved documents are being sought.

5. The grievance is twofold. First, that several supplied documents are not legible. Second, that the Currie & Brown report has not been placed on the record despite its relevance and its inclusion in the predicate-offence charge-sheet.

6. As far as the RUDs are concerned, the Enforcement Directorate has supplied the best available copies. Whether any document is rendered illegible to the extent that its evidentiary value is impacted is a matter to be considered by the Trial Court and cannot be determined in the present proceedings.

7. As regards the Currie & Brown report is concerned, the attempt to invoke this Court's jurisdiction under Section 528 BNSS appears to be misconceived. The Trial Court has already noted that the report forms part



of the charge-sheet in the predicate offence and has permitted the Petitioner to refer to it and even place it before the Court during arguments. In that view, no further directions are required at this stage.

8. If any document forming part of the RUDs has not been supplied, it is open to the Petitioner to bring this to the attention of the Trial Court. This Court cannot engage in such an exercise in these proceedings, especially given the volume of the RUDs.

9. Accordingly, the present petition is dismissed with the above observations.

SANJEEV NARULA, J

NOVEMBER 12, 2025/MK