

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPEAL NO. 1309 OF 2024
WITH
INTERIM APPLICATION NO. 2694 OF 2025**

Union of India. ... Appellant

Vs.

Nilesh J. Thakur And Ors. ... Respondents.

**WITH
CRIMINAL APPEAL NO. 79 of 2020
WITH
INTERIM APPLICATION NO. 3083 OF 2025**

Union of India. ... Appellant

Vs.

M/S. Kalyani Education Pvt. Ltd. & Ors. ... Respondents.

**WITH
CRIMINAL APPEAL NO. 1051 OF 2019
WITH
INTERIM APPLICATION NO. 3140 OF 2025
WITH
INTERIM APPLICATION NO. 724 OF 2021**

Union of India. ... Appellant

Vs.

Shapoorji Pallonji And Co. Pvt. Ltd. & Anr. ... Respondents.

Mrs. Manisha Jagtap for the Appellants.

Mr. Gaurang Mehta a/w Mr. Shehzad Najamessani a/w Ms. Rhea Mehta
i/b Mankesha Sethna for the Respondent No. 1.

**CORAM : A. S. GADKARI AND
RANJITSINHA RAJA BHONSALE, JJ.**

DATED : 11th FEBRUARY 2026.

P C. :-

1. A Praecipe dated 20th January 2026 is circulated by learned Advocate for Respondent No.1 in Criminal Appeal No.1051 of 2019 for speaking to the minutes of the common Judgement dated 23rd December 2025 passed in the aforesaid three Appeals.

2. In the 3rd line of Paragraph No.1 the words “challenge the order dated 17th January 2019” shall be replaced by the words “challenge three orders, all dated 17th January 2019”.

3. In 6th and 7th lines of Paragraph No.1, the year of Appeals is inadvertently mentioned as “2015”. The correct year is “2016”. Accordingly, the Appeals mentioned as “FPA-PMLA-1406/MUM/2015, FPA-PMLA- 1408/MUM/2015, FPA-PMLA-1409/MUM/2015, FPA-PMLA-1410/MUM/2015” shall be read as “FPA-PMLA-1406/MUM/2016, FPA-PMLA-1408/MUM/2016, FPA-PMLA-1409/MUM/2016, FPA-PMLA-1410/MUM/2016”.

4. At the end of Paragraph No.1, the following words be added
“The impugned order being subject matter of Criminal Appeal No. 1309 of 2024 also disposed off 23 Appeals filed by Shri Nilesh Thakur being FPA-PMLA-937/MUM/2015, FPA-PMLA-938/MUM/2015,
FPA-PMLA-939/MUM/2015, FPA-PMLA-940/MUM/2015, FPA-PMLA-1001/MUM/2015, FPA-PMLA-941/MUM/2015, FPA-PMLA-1002/MUM/2015, FPA-PMLA-1003/MUM/2015, FPA-PMLA-

1004/MUM/2015, FPA-PMLA-1005/MUM/2015, FPA-PMLA-
1006/MUM/2015, FPA-PMLA-1007/MUM/2015, FPA-PMLA-
1008/MUM/2015, FPA-PMLA-1009/MUM/2015, FPA-PMLA-
1010/MUM/2015, FPA-PMLA-1011/MUM/2015, FPA-PMLA-
1012/MUM/2015, FPA-PMLA-1000/MUM/2015, FPA-PMLA-
1112/MUM/2015, FPA-PMLA-1113/MUM/2015, FPA-PMLA-
1114/MUM/2015, FPA-PMLA-1115/MUM/2015 and FPA-PMLA-
1116/MUM/2015”.

5. In the 4th line of paragraph No.1.1, after the words “SPCL/Respondent No. 1”, the following words be added “in Criminal Appeal No.1051 of 2019”.

6. In the 8th line of paragraph No.2, the words “an amount of Rs.45 Crores and” be deleted. At the end of Paragraph No.2 the following sentence be added, “Pursuant to the order of this Court, the Appellants have created an FDR of Rs.52,59,64,678/- with Punjab National Bank, Foreshore Road Branch, on 25th September, 2024”.

7. In the 1st line of paragraph No.3.5 and 9th line of Paragraph No.3.7 the name of the company is inadvertently stated as “SPCL”. It be read as “SD Corporation Pvt. Ltd.”

8. In the 5th line of paragraph No.3.5 and 8th line of paragraph No.3.7, due to a typographical error the amount has been inadvertently

misstated as “Rs.131,04,70,0291/-”. It be corrected as “Rs.131,04,70,291/-”.

9. In the 7th line of paragraph No.3.9, due to a typographical error the amount has been inadvertently misstated as “Rs.141,500,000/-”. It be corrected as “Rs.141.50 Crores”.

10. In the 3rd line of paragraph No.3.10, inadvertently the Appeal is described as “Appeal No.1407 of 2006”. The Correct description of the Appeal is “Appeal No.FPA-PMLA-1407/2016”. It be corrected accordingly.

11. In the 13th line of paragraph No.3.17, after the word “SPCL”, It is wrongly mentioned as “(Respondent No.1 in Appeal No.1104)”. It be read as “(Appellant in Appeal No.FPA-PMLA-1104/2015)”.

12. In the 2nd line of paragraph No.3.18, the words “Respondent No.2 and 3”, be deleted and replaced by the words “Nilesh Thakur and Nitish Thakur”.

13. In the 6th line of paragraph No.3.18, the words “to Respondent No. 3” be deleted.

14. In the 2nd line of paragraph No.3.24, the words “Respondent No. 1” be replaced with the words “the Appellant (E.D.)”.

15. In 1st line of paragraph No.3.31, the words “On 27th April, 2016” be replaced with the words “From year 2014 to 2016”.

16. In the 4th, 5th, and 10th line of paragraph No.3.31, dates have been inadvertently misstated due to typographical errors and are required to be corrected. The incorrect dates and correct dates are as under:

Incorrect Dates	Correct Dates
29 th October 2014	28 th October 2014
24 th April 2015	21 st April 2015
24 th April 2015	21 st April 2015
27 th April 2016	30 th March 2016

Accordingly, in the said paragraph, the aforesaid incorrect dates be replaced with the correct dates.

17. In the 4th line of paragraph No.3.37, after the words “all the Appeals” the following words be added “including the Appeals”.

18. In the 4th line of paragraph No.4, a full stop “.” be added after the year “2020” and the word “Said” be replaced by the word “Criminal”. In the 5th line of the said paragraph, after the date “11th March, 2020.” the following sentence be added “Criminal Appeal No. 79 of 2020 and Criminal Appeal No. 1309 of 2024 were admitted by a common order dated 21st November, 2024”.

19. In paragraph No.28, inadvertently, some typographical errors have crept in, which are required to be corrected. In the 2nd line the word “Appeal” be replaced by the word “Appeals”. In the 3rd line the words

“impugned order dated 17th January, 2019” be deleted and replaced with the words “three impugned orders, all dated 17th January, 2019”. In the 5th line, after the words “impugned Judgement”, the following words be added “(subject matter of Criminal Appeal No. 1051 of 2019)”.

20. In 3rd line of Paragraph No.30(i), the words “The order” be deleted and replaced by the words “All the three orders” and the word ‘is’ be deleted and replaced by the word ‘are’.

21. Clause (a) of paragraph No.30(iii), be deleted and replaced with the following Clause:

“(a) The Appellant(ED) is directed to effect premature redemption of the Fixed Deposit Receipt (FDR) dated 25.09.2024 standing in the name of the Directorate of Enforcement, Government of India, bearing FDR Account No. 123200LR00000961 and Customer ID No. BVJ003981, maintained with Punjab National Bank, Foreshore Road Branch, for a sum of Rs.52,59,64,678/- crores together with accrued interest thereon, and upon such redemption, to remit a sum of Rs.45 crores out of the said proceeds to SPCL Pvt. Ltd.”

22. After clause (a) of Paragraph 30(iii), the following clause (aa) be inserted:

(aa) It is further directed that, 50% of the remaining redeemed amount, together with the accrued interest thereon

up to date, shall be transferred to SPCL Pvt. Ltd., and the balance 50% amount, along with the accrued interest thereon, shall be transferred to “Armed Forces Battle Casualties Welfare Fund”(AFBCWF), within a period of two weeks from the date of receipt of an authenticated copy of this Judgment, as forwarded by the Advocates for Respondent No. 1 in Criminal Appeal No. 1051 of 2019 (SPCL).”

23. In clause (c) of Paragraph No. 30(iii), delete the words “said deposit of (i) Rs. 45 Crores and (ii)” and the same be replaced by the words “deposit of”

24. After clause (d) of Paragraph 30(iii), the following clauses (dd) and (ddd) be inserted.

“(dd) In the event Appellant (ED) fails to effect the aforesaid transfers/payments within the stipulated period of two weeks, the Appellant (ED) shall pay interest to the concerned parties at the rate of interest applicable to the Fixed Deposit Receipt (FDR) held with Punjab National Bank, for the period commencing from the expiry of the said period of two weeks until the date of actual remittance”.

“(ddd) It is directed that in the event the aforesaid amount is not transferred to “Armed Forces Battle Casualties Welfare Fund”(AFBCWF), we direct that the Adjutant General, IHQ of

MOD (Army), South Block, New Delhi shall forthwith communicate the fact of such non-compliance to the Office of the Additional Solicitor General. Upon being so informed, the Office of the Additional Solicitor General shall place the said fact before this Court for initiation of appropriate proceedings in respect thereof”.

25. After the paragraph No.30(iii)(e), Paragraph numbers “30” and “30.1” have been inadvertently misstated due to typographical errors and are required to be corrected. The correct paragraph numbers are “31” and “32” respectively.

26. The Judgment dated 23rd December 2025 be corrected accordingly and the corrected Judgment be uploaded on the official website of the High Court of Bombay, Mumbai.

27. The Praecipe dated 20th January 2026 is accordingly disposed off.

(RANJITSINHA RAJA BHONSALE, J.)

(A.S. GADKARI, J.)