



\$~52 to 54

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

+ CRL.M.C. 3550/2023 & CRL.M.A. 13436/2023 (*for stay*)

SURESH KUMAR GARGPetitioner

versus

CENTRAL BUREAU OF
INVESTIGATION AND ORS.Respondents

+ TR.P.(CRL.) 115/2023

CENTRAL BUREAU OF INVESTIGATIONPetitioner

versus

SURESH KUMAR GARG AND ORS.Respondents

+ TR.P.(CRL.) 116/2023

CENTRAL BUREAU OF INVESTIGATIONPetitioner

versus

SURESH KUMAR GARG AND ORS.Respondents

Appearances:

Mr. Ripudaman Bhardwaj, SPP with Mr. Kushagra Kumar, Mr. Amit Kumar Rana, Advocates for CBI in item Nos. 53, 54.

Suresh Kumar Garg, in person.

Mr. Piyush Sharma, Mr. Vikram Saini, Advocate for R-1 in item Nos. 53 and 54.

Mr. Jainish Dubey, Advocate for R-2.

Mr. Zoheb Hossain, Special Counsel Mr. Vivek Gurnani, Panel Counsel, Mr. Kartik Sabharwal, Advocate for ED.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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06.01.2026



1. These three petitions concern transfer of proceedings arising out of Criminal Complaint No. 215/2019 and Supplementary Criminal Complaint No. 02/2022, which were pending before the Special Judge, CBI Court-13, Rouse Avenue District Courts, New Delhi.
2. By order dated 28.03.2023, the Special Judge directed the transfer of the aforesaid cases to the Court of Additional Sessions Judge, Special Court PMLA, North-West, Rohini Courts, New Delhi, where related proceedings under the Prevention of Money Laundering Act, 2002 [“PMLA”] were pending. One of the accused – Suresh Kumar Garg, has challenged the said order in CRL.M.C. 3550/2023. TR.P.(CRL.) 115/2023 and TR.P.(CRL.) 116/2023 were registered on a communication received from the Principal District and Sessions Judge, Rouse Avenue District Courts, pursuant to the said order, as the cases are required to be transferred inter-district.
3. Mr. Ripudaman Bhardwaj, learned Special Public Prosecutor, appearing for the Central Bureau of Investigation, and Mr. Vivek Gurnani, learned Panel Counsel for the Enforcement Directorate, submit that in the peculiar facts of this case, they are instructed that the proceedings under the Prevention of Corruption Act, 1988 [“PC Act”], may continue before the Rouse Avenue District Courts, and that the proceedings under the PMLA may also be transferred from the Rohini Courts to the Rouse Avenue District Courts.
4. In view of the aforesaid submissions, instead of transferring Criminal Complaint No. 215/2019 and Supplementary Criminal Complaint No. 02/2022 from the Special Court, Rouse Avenue District Courts, to the Court of the Additional Sessions Judge, Rohini Courts, it is



directed that the proceedings under PMLA [Prosecution Complaint No. 01/2015 under Section 45 of the PMLA] pending before the Rohini Courts be transferred to the Rouse Avenue District Courts.

5. The petitions are disposed of with the direction that all three cases will be listed before the Principal District and Sessions Judge, Rouse Avenue District Courts, on 21.01.2026, for assignment to a competent Court which can consider both the cases under the PC Act, as well as the case under the PMLA.

6. The petitions, alongwith pending application, are disposed of in terms of the aforesaid.

PRATEEK JALAN, J

JANUARY 6, 2026
'Bhupi/KA'/'