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

+ **W.P.(C) 16978/2024, CM APPLs.71899-901/2024**

MANIDEEP MAGO

.....Petitioner

Through: **Mr Rishi Sehgal & Mr Rijul Seth,**
Advocates.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: **Mr. Amit Tiwari, CGSC with Ms.**
Ayushi Srivastava, Mr. Ayush
Tanwar, Mr. Arpan Narwal & Mr.
Kushagra Malik, Advs. for UOI.
Mr Vivek Gurnani, Mr Kartik
Sabharwal & Mr Pranjali Tripathi,
Advs for ED.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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26.02.2026

1. The petition is for the following reliefs:

“(i) Hold and declare that the search and seizure carried out by Respondent No. 2 on 28.05.2024 in exercise of purported powers under Section 37 of the Foreign Exchange Management Act, 1999 read with Section 132 of the Income Tax Act, 1961, to be absolutely illegal, unconstitutional and therefore null and void ab initio being violative of the petitioner’s fundamental rights under articles 14, 19(1)(g) & 21 of the Constitution;

(ii) Set aside and quash the direction(s) dated 28.05.2024 (Annexure P-5 & P-6) & 29.05.2024 (Annexure P-7 & P-8) issued vide F.No.T3/HIUii/19/2024 u/s 37 of the Foreign Exchange Management Act, 1999 r/w Section 132 of the Income Tax Act, 1961 whereby, the bank accounts of the petitioner etc. have been directed to be frozen and further



direct Respondent No. 2 to de-freeze the said accounts (Annexure P-10) of the petitioner etc;

(iii) Set aside and quash the Provisional Attachment Order dated 30.05.2024 (Annexure P-11) purportedly issued in exercise of powers u/s 37-A of the Foreign Exchange Management Act, 1999 read with Section 132 (9B) of the Income Tax Act, 1961 whereby, the vehicles belonging to the petitioner and companies etc. were provisionally attached in a wholly untenable manner and consequently direct the release of all the vehicles attached by Respondent No. 2;

(iv) Pass any such other or further order(s) and/or direction(s) as this Hon'ble Court may deem fit in favour of the petitioner."

2. Mr. Vivek Gurnani, learned counsel who appears for the Directorate of Enforcement (ED), submits that the search and seizure which is impugned, does not subsist anymore. According to him, after taking action under the provisions of the Prevention of Money Laundering Act, 2002 (PMLA Act), the property was initially provisionally attached, and thereafter, the adjudicating authority has confirmed the said attachment.
3. The petitioner has also preferred an appeal against the attachment. Therefore, the petitioner has already taken recourse to the appellate remedy available under the PMLA Act against the impugned action.
4. Under these circumstances, reserving all rights and contentions, the Court is not inclined to continue the instant writ petition and disposed of the same as the Foreign Exchange Management Act, 1999 (FEMA) seizure no more subsists on account of the subsequent development.
5. Pending applications also stand disposed of.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 26, 2026

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