



2026:DHC:4778-DB



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

Date of decision: 26.05.2026

+ **MISC. APPEAL(PMLA) 58/2026**

BHURAJI MULAJI PRAJAPATIAppellant
Through: **Mr.Jaitegan Singh Khurana,**
Mr.Dharmender Singh, Advs.

versus

THE DEPUTY DIRECTOR, DIRECTORATE OF
ENFORCEMENT, DELHI & ANR.Respondents
Through: **Mr.Anupam S. Sharrma, SC for**
ED with Ms.Harpreet Kalsi,
Mr.Vashishth Rao,
Mr.Abhiyant Singh, Ms.Amisha
P. Dash, Ms.Pragati Ojha,
Mr.Mayank Tyagi & Ms.Pragya
Nath, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MR. JUSTICE RAVINDER DUDEJA

NAVIN CHAWLA, J. (ORAL)

CM APPL. 36627/2026 (Exemption)

1. Allowed, subject to all just exceptions.

MISC. APPEAL(PMLA) 58/2026 & CM APPLS. 36625-26/2026

2. This appeal has been filed challenging the order dated 08.05.2025 passed by the learned Appellate Tribunal under the SAFEMA in Appeal No. FPA-PMLA-5275/DLI/2022 titled ***Bhuraji***



Mulaji Prajapati v. The Deputy Director, Directorate of Enforcement, Delhi.

3. At the outset, we would note that there is a delay of 225 days in re-filing of the appeal.

4. The appellant seeks to justify the said delay by contending that the appeal was filed within the time prescribed under Section 42 of the Prevention of Money Laundering Act, 2002 (in short, PMLA Act), however, several documents forming part of the record, including the Panchnama, etc., were in dim, illegible, or handwritten form. These were required to be typed into fair copies, which took time. Delay is also attributable to the voluminous nature of the record. It is further alleged that the appellant faced difficulty in obtaining the complete records of the proceedings of the ECIR as he was not named as an accused thereinunder.

5. While we are mindful of the settled position in law that while condoning the delay in re-filing, the court is generally to be more liberal and not apply strict or technical standards, we are not impressed with the explanation given by the appellant for the delay in curing the defects.

6. We find that the documents annexed with the appeal primarily comprise of the record of the learned Tribunal, which is fairly typed and, in fact, appears to be the photocopies of documents.

7. We are further guided by the fact that Section 42 of the PMLA Act prescribes a strict timeline for the filing of an appeal and, in fact, restricts the rights of the High Court to condone the delay by stating that any person aggrieved by any decision of the learned Tribunal may



file an appeal to the High Court within sixty days of the communication of the said decision or order. It further states that the High Court may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed within a further period not exceeding sixty days. The appellant cannot bypass the said restriction by filing the appeal and thereafter allowing it to remain under defects for a period of almost seven months.

8. Even otherwise, what the appellant seeks in this appeal is, in fact, the enforcement of the impugned order passed by the learned Tribunal.

9. The learned counsel for the appellant has contended that by the impugned order, the learned Tribunal has held that the documents and digital devices seized from the appellant, which do not form part of the prosecution complaint filed by the respondent before the learned Special Court, should be returned to the appellant within one month from the date of the said order. He submits that in spite of the representations made by the appellant, the appellant has not been informed if the documents/digital devices seized from him have been made part of the prosecution complaint filed, and if the appellant is also one of the persons against whom the said complaint has been filed.

10. In this regard, we would first quote the directions of the learned Tribunal as under:-

“In view of the above, we find it appropriate to pass following order after balancing the equities between the parties:-



a). The documents and digital devices finding part of the prosecution complaint cannot be released because the Special Court, PMLA has now becomes custodian of the record and otherwise remains justification for further retention of the documents and digital devices till conclusion of trial.

b). The documents and digital devices which are not part of the prosecution complaint are ordered to be released within a period of one month after beeping photocopies of the document and clone copy of the digital devices by the respondent with its endorsement by the appellant.

c). The appellant is however directed to maintain the documents and digital devices for a period of one year without any tempering and produce it before the ED, if so required in further investigation.

d). The respondents would be at liberty to rely on the documents and digital devices ordered to be released in pursuance to the direction given above.”

11. We do not find any infirmity in the aforesaid directions of the learned Tribunal.

12. As noted above, what the appellant seeks from us is the enforcement of the said directions, for which, in our view, the appellant is to avail of the remedies provided under Section 35(3) of the PMLA.

13. We, therefore, find that the present appeal is liable to be dismissed, both on the ground of delay in re-filing as also on merits. We, however, leave it open to the appellant to avail of its remedies in accordance with law.



2026:DHC:4778-DB



14. The appeal, along with the pending applications, stands dismissed with the above liberty to the appellant.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

MAY 26, 2026/rv/ik