



* IN THE HIGH COURT OF DELHI AT NEW DELHI

% *Pronounced on: 04th November, 2025*

+ CRL.M.C. 449/2021 & CRL.M.A. 20618/2025

SHRAVAN GUPTA

S/o SH. RAJIV GUPTA

R/o 44-A, AMRITA SHERGILL MARG,
NEW DELHI - 110003

.....Petitioner

Through:

Mr. Vikas Pahwa and Mr. Tanvir
Ahmed Mir, Sr. Advocates with Mr.
Yudhister Singh, Mr. Prabhav Ralli,
Mr. Saud Khan, Mr. Shiv Kapoor and
Mr. Pulkit Shree, Advocate

versus

DIRECTORATE OF ENFORCEMENT

THROUGH ITS DIRECTOR

6th FLOOR, LOK NAYAK BHAWAN,
KHAN MARKET, NEW DELHI - 3

.....Respondent

Through:

Mr. S.V. Raju, ASG with Mr. Zoheb
Hossain, Mr. Vivek Gurnani, Panel
Counsel, Mr. Kanishk Maurya and
Mr. Kunal Kochar, Advocates

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

J U D G M E N T

NEENA BANSAL KRISHNA, J.

CRL.M.A. 20618/2025:



1. An Application under Section 528 B.N.S.S. has been filed by the learned Counsel on behalf of the Petitioner for appropriate action.
2. The Application submits that the matter was listed for hearing on 16.07.2025. It is submitted that certain false, malicious, and defamatory News Articles were reported on 16.07.2025, and 17.07.2025, targeting the professional reputation and dignity of Mr. Vikas Pahwa, learned Senior Advocate appearing on behalf of the Petitioner. These Articles attributed false statements to this Court, purportedly made during the course of the hearing on July 16, 2025.
3. The matter had come up for hearing on July 16, 2025, at around 11:45 A.M. After being heard, the matter was reserved for judgment, while the connected matters were deferred for hearing on another date. However, the Media houses, while reporting the proceedings of 16.07.2025, falsely projected that adverse observations were made against the learned Senior Counsel, stating that his conduct of seeking instructions was an act “*unbecoming*” of a Senior Advocate. It is submitted that no such statement was ever made by this Court and does not form part of the judicial Order recorded on 16.07.2025.
4. It is submitted that the Media reporting dated 16.07.2025, started at around 9:00 P.M. with an Article titled, “***Agusta Westland case: Delhi High Court reserved order on an accused plea to quash an NBW.***” In the first few Articles reported between 9:00 P.M. and 11:00 P.M. on 16.07.2025, there is no reference to the alleged remark of this Court. Subsequently, however, it appears that with a mala fide intent to personally tarnish the reputation of the learned Senior Counsel, a false and defamatory narrative of the proceedings dated July 16, 2025, was circulated to various Media



houses, who have been reporting the said narrative without even verifying its authenticity. There were four Media Reports with no averment against the learned Senior Counsel. However, six Articles appeared in CNN News-18, The Tribune Group, The Times Group, Rabhya-Rabhav Corp. Pvt. Ltd. (Law Trend), Indian Express Ltd., and CSR Journal on 17.07.2025, giving the false narrative, as stated above.

5. It is submitted that the selective and delayed reporting, which surfaced many hours after the hearing, raises strong suspicion of orchestration intended to deliberately revile the learned Senior Counsel's image. It appears that certain words have been quoted *as if* they were part of the judicial Order, to create a false impression that the observations were made by this Court.

6. **Reliance is placed on Sahara India Real Estate Corp. Ltd. vs. SEBI (2012) 10 SCC 603, which observed that the media must avoid reporting that prejudices ongoing proceedings or misleads public opinion.** Similarly, reliance is placed on Surya Prakash Khatri vs. Madhu Trehan, 2001 SCC OnLine Del 590, which stated that **journalists cannot claim immunity when they publish a distorted or false version of Court proceedings.** Likewise, in Gaurav Bhatia vs. Naveen Kumar, 2024 SCC OnLine Del 2704, it was observed that the media has a duty to report the incident for the benefit of the public, but there is also a corresponding duty to **remain truthful to the incident.** Similar observations were made in Jaideep Bose vs. Bid & Hammer Auctioneers (P) Ltd., 2025 SCC OnLine SC 348, which highlighted the **critical need for accuracy and fairness in media reporting.**



7. It is submitted that this Court should clarify that no such adverse or negative remark was made against the learned Senior Advocate, as has been projected by the media. Furthermore, it may be declared that the attribution of such a statement to this Court, is false and incorrect. Further directions may be issued to the concerned Media Houses to delete the defamatory content from all their online and print platforms and also to publish a public apology with equal prominence as that given to the false Report dated 16.07.2025, and 17.07.2025.

8. Ld. Counsel on behalf of the State has endorsed that Reporting Media but discharge the responsibility of reporting proceedings in the Court with responsibility, but asserted that no directions, as sought, are mandated in the given circumstances.

Submission heard and record perused.

9. By way of this Application, the Petitioner seeks the expungement of the remark allegedly made by this Court, as reported in various Media Houses. It is the Petitioner's assertion that such reporting has caused great harm to the reputation of the learned Senior Advocate and requires clarification.

10. It must be emphasized, as held in various judgments referred to by the Petitioner, that Media Houses owe an absolute responsibility to conduct sensible reporting. It cannot be overstated that media reports have a widespread impact on the general public, which may include some legal professionals. The majority of the public may not be aware of legal nuances and depend solely on media reports to know, about events happening in the country and the proceedings taking place in the Court. The Media has the *absolute responsibility for accuracy and fairness in media reporting.*



11. It has become a disturbing trend in recent times to report even some most innocuous remark that may be made by the Court during the case hearings, which may or may not even be connected with the proceedings, merely to create sensation. Such reporting of the court proceedings, which may generate curiosity of public to read with more interest, is accepted without realizing that such remarks are not part of the proceedings or do not pertain to the merits of the case, and need no prominence or even reporting.

12. This is also one such case where an innocuous general remark expressing a concern about repeated adjournments by Counsels, was made. To observe and falsely attribute that the remark was specifically directed toward Mr. Pahwa, Senior Advocate, is not only incorrect but is essentially designed to create a sensational news story of interest to the public at large, with scant regard to the harm it may cause to an individual who is diligently discharging his duty of representing the litigant.

13. This is clearly not the mandate for the media, which owes the responsibility of not only making correct information available to the public but also ensure that unnecessary sensationalization is not created by taking innocuous remarks out of context and reporting them as the main event. With their expertise in journalism and reporting, no guidance from any Court is required as to what is germane to the court proceeding that may be reported and that which is of no consequence.

14. With these observations, no further clarification is required. It is expected that the Media houses which are of great repute, would themselves consider whether such reporting should be allowed to continue on their media Portals. No further directions are required.



15. The Application is accordingly disposed of.

CRL.M.C. 449/2021:

16. The Petition under Section 482 Criminal Procedure Code, 1973 (Cr.P.C) has been filed by Petitioner-Shravan Gupta for **setting aside the Order dated 05.12.2020**, *vide* which the Petitioner's Application for cancellation of NBWs, issued in ECIR No. 15/BZLO/2014 **was dismissed vide** Order dated 29.08.2020.

17. It is briefly stated that the Petitioner had filed W.P.(Crl.) No. 41/2021 before the Supreme Court of India, seeking appropriate directions to the Respondent/Directorate of Enforcement, to examine and investigate him through the mechanism of video conferencing. Notice was issued on the Writ Petition. However, the Petitioner subsequently withdrew the Writ Petition with liberty to approach this Court for the relief.

18. The Petitioner claims that he is absolutely innocent and not connected with the alleged commission of offence that is being investigated by the Respondent in the captioned ECIR. He asserts that **Non-bailable warrants were issued** by the learned ASJ on 29.08.2020, on account of **concealment of material facts** from the Court, by Respondent/ED. By no stretch of imagination can the Petitioner be said to have either concealed himself or made himself scarce from assisting the investigating authorities in the investigation of the case.

19. It is claimed that the learned Trial Court erroneously observed that the Petitioner is trying to evade the investigation, even when the record shows that he joined the investigation physically when he was in India, responded to all summons issued to him, and provided all the documents sought. He asserts that he has always been ready and willing to join the investigation by



the mechanism provided under the law, including but not limited to the sanctioned procedure of **video conferencing**.

20. It is **settled law** that the Court must record its **objective satisfaction** that the Petitioner is not coming forward to join the investigations. Only upon recording such objective satisfaction, can the NBW be issued against the Accused. It is claimed that the Respondent/ED made **whimsical, sweeping, and unsubstantiated allegations** about the Petitioner's involvement in the captioned ECIR. There was no reason for NBWs to be issued against the Petitioner, and they ought to have been cancelled on the Application filed by the Petitioner. It is contended that the Application for cancellation of NBW, was erroneously dismissed, which is the reason this Petition has been filed to challenge the Order dated 05.12.2020.

21. The Petitioner states that he is suffering from **multi-morbidities**, including but not limited to Type 2 Diabetes, Hypothyroidism, Hypercholesterolemia, impaired breathing and severe fatigue. He had to travel to London in November, 2019 due to business exigencies and legal proceedings in a commercial dispute with the EMAAR Group of Dubai, UAE. Because of his serious medical condition, the Petitioner is susceptible to the ongoing **COVID-19 pandemic** and has been declared unfit and advised not to travel by the doctors. The learned Trial Court erroneously observed that these diseases are manageable, for the Petitioner to travel to India to join the investigation. The medical condition of the Petitioner was ignored while dismissing his Application for cancellation of NBW.

22. The Petitioner further states that in the latter part of 2019, he had to urgently travel to the United Kingdom for business exigencies and arbitration proceedings in a commercial dispute. The Petitioner had already



been granted **permission to travel abroad** *vide* **Order dated 30.01.2019** in CBI Case No. 6/2012, titled *CBI v. B.S. Acharya and Ors.* by the Competent Court at Hyderabad. The Petitioner duly informed and apprised the Court and filed his itinerary before leaving for London. While leaving the country, the Petitioner had no reasonable basis to anticipate that Summons or Notice from the ED, Delhi requiring his personal presence, would be issued. Furthermore, there was no requirement in law to inform or seek permission from the ED before travelling abroad. Therefore, *it cannot be held that the Petitioner was evading the process of law.*

23. Further, it is asserted that the learned Trial Court failed to appreciate that the *Respondent had preferred an Application against the Petitioner* for appearing through VC, before the Court of the Principal Special Judge, CBI Cases, Hyderabad in CC No. 6/2012, titled *Enforcement Directorate v. CBI & B.S. Acharya and Ors.* This Application was **dismissed vide Order dated 13.08.2020** by that Court in view of the **bona fides** of the Petitioner, his inability to travel back to India, and the availability of the video conferencing facility for investigation. The concerned Court also allowed the Petitioner's Application for permission to travel abroad on 13.08.2020, in the same case.

24. The Petitioner states that these Orders are important as they were passed on similar facts and circumstances and based on the same reasoning and averments made in the present case. Therefore, the learned Trial Court erred in observing that the aforesaid Orders of the Competent Court at Hyderabad were not relevant to the present case.



25. It is claimed that the issuance of non-bailable warrants against the Petitioner is *mala fide* and has been done for oblique reasons to curtail the precious liberty of the Petitioner.

26. The brief factual narrative as per the Petitioner Shravan Gupta is that he is a world-renowned businessman, who has made his name in private entrepreneurship and the business of real estate and property development. He has provided employment to hundreds and thousands of people for the last many decades. His real estate business is spread all over the world and he has an international setup for which he requires to frequently travel abroad for months at a stretch. At no point of time, the Petitioner has ever indulged or involved himself in any activity against the law.

27. In 2014, the aforesaid ECIR was registered, alleging corruption and the payment of bribes in the procurement of Augusta Westland Helicopters from an Italian Company. Certain persons came to be arrested in this connection. The Petitioner asserts that he has never been associated with the aforesaid transactions or any transaction concerning defence equipment/agreements at any point of time, and therefore, he is not even required to be investigated in the matter. He is a pioneer of real estate and property business, and his dealings are primarily limited to said field only. He is not named in the ECIR either as an Accused or otherwise.

28. It is claimed that after more than two years of the registration of the ECIR, owing to personal vendetta against the Petitioner, he was served with summons dated 02.05.2016, asking him to join the investigation, pursuant to which the Petitioner duly extended his cooperation and joined the investigation at the Office of the Enforcement Directorate, where he was interrogated at length for more than 7 hours.



29. Thereafter, for more than a year, no summons or notice was received till September, 2017, when summons dated 22.09.2017 was received at his address in Delhi, and information regarding EMAAR MGF Land Limited and EMAAR MGF Construction Limited was sought from the Petitioner. The information was duly supplied by one of his employee on 04.10.2017, as the Petitioner was travelling at that time and was unable to be physically present despite his best efforts. The ED, being satisfied with the information provided and the cooperation extended by the Petitioner, did not issue any summons or Notice thereafter for the entire years of 2017, 2018, and the major part of 2019.

30. After a gap of more than two years, another summons dated 23.11.2019 was issued to the Petitioner, seeking certain details/documents, which were duly provided vide communication dated 25.11.2019. This communication categorically conveyed his willingness to supply the information through Mr. Rahul Upadhyay, as the Petitioner was unavailable in person owing to his illness and complete bed rest as advised by the doctor. Subsequently, more documents related to the Income Tax Assessment of MGF Development Limited and associated Companies were sought, which were supplied on 26.11.2019 and 27.11.2019.

31. Thereafter, the Petitioner had to travel to the UK in the latter part of 2019 due to business exigencies, for which he was permitted vide Order dated 30.01.2019 in CBI Case No. 6/2012. The arbitration proceedings in relation to the dispute with EMAAR had started much prior to the issuance of Notice dated 23.11.2019.

32. Subsequent thereto, another Summons dated 16.12.2019 was received, which was duly replied vide communication dated 18.12.2019,



which was submitted on 19.12.2019. It was brought to the notice of the Respondent/ED that the Petitioner was not in India but was travelling, with a promise that he would appear in person immediately upon his return. The contact details of the Petitioner were made available.

33. Another Summons dated 23.12.2019 was issued to the Petitioner, who replied vide email dated 24.12.2019, informing about his inability to travel because of his health and other legal proceedings, and conveyed his willingness to join the investigation through video conferencing and to extend his cooperation in the best possible manner.

34. A similar email, reiterating his willingness to extend full cooperation, was written on 30.12.2019. Again, summons dated 07.02.2020, 25.02.2020, 23.07.2020, and 04.08.2020 were served upon the Petitioner, who duly replied vide emails dated 12.02.2020, 01.03.2020 and thereafter, through letters dated 28.08.2020 and 23.09.2020, respectively, reiterating his inability to appear physically, but his willingness to extend every possible cooperation.

35. It is claimed that these facts and circumstances, clearly reflect that he is not evading the process of law and is willing to join the investigation through video conferencing.

36. He further submits that recently, on 18.09.2020, he came to know that the Respondent/ED, in the most arbitrary and draconian manner, had got NBWs issued against him by concealing material facts and playing a fraud upon the Court. His Application dated 24.09.2020 for cancellation and recall was dismissed vide the impugned Order dated 05.12.2020. He has also come to know that the process under Section 82 Cr.P.C has been issued against him.



37. The impugned Order is challenged, stating that the entire domain of investigation is in the nature of documentary evidence, which is already in the possession of the Respondent/ED. He has given responses to every Notice and provided all the necessary documents. The learned Trial Court has erred in observing that the Petitioner has failed to provide the documents sought by the Respondent/ED.

38. He has placed reliance on State of Maharashtra vs. Dr. Prafull B. Desai & Anr., AIR 2003 SC 2053; Manju Devi vs. State of Rajasthan; AIR 2019 SC 1976 and Parenthood Federation vs. Madhu Bala Nath, FAO (OS) 416/2015, to assert that the recording of evidence on oath during the course of trial and otherwise has been permitted through video conferencing. In Sartaj Ali vs. CBI, W.P.(Crl.) 1184/2020, while dealing with a similar matter where the Petitioner residing in Delhi was served with summons under Section 160 Cr.P.C. by the CBI Office at Mumbai, the Court, in view of the ongoing pandemic, restrictions, and difficulty in travelling, permitted the examination of the said witness through video conferencing, thus not requiring him to leave his residence and travel to another city/country.

39. The mechanism of recording evidence through video conferencing, has been upheld by the Supreme Court in the cases of State of Maharashtra vs. Dr. Prafull B. Desai & Anr., AIR 2003 SC 2053; Manju Devi vs. State of Rajasthan; AIR 2019 SC 1976, Parenthood Federation vs. Madhu Bala Nath, FAO (OS) 416/2015, Geeta Sethi vs. State, 91 (2001) DLT 47 and Raghuwansh Dewanchand Bhasin vs. State of Maharashtra; 2011 (11) SCR 300.

40. Therefore, there is no gainsaying that the Respondent cannot adopt the same methodology so far as recording of statements under Section 50



PMLA is concerned. The Petitioner in the aforesaid factual matrix cannot be termed as not cooperating in the investigations.

41. Reference is made to Santosh vs. State, 2017 (12) SCALE 524, wherein the Apex Court held that the Petitioner cannot be taken in custody only for the purpose of enabling the investigating authority to extract a confession, and cooperation does not mean that the Accused must be put in custody to admit his guilt or sing to the tune of investigating authorities.

42. Reliance is also placed on Mohammed Nashruddin vs. State of U.P. & Anr., W.P.(CRL) NO. 240/2020 and Paramvir Singh Saini vs. Bauit Singh & Anr., SLP (CRL) No. 13346/2020, wherein the Supreme Court has held that the statements recorded by the Investigating Authority needs to be video-graphed.

43. Therefore, when the petitioner is willing to give his statement and answer questions through video conferencing, it cannot be said and sustained that the Petitioner is not cooperating with the investigation, even when the Petitioner is suffering from morbidities and is not in a position to travel due to the risk of contacting the contagion of COVID-19, which would be detrimental to his health. It is claimed that he is not associated with the allegations made in the ECIR in any manner and has been unnecessarily dragged into this case as a result of political vendetta with a clear and malicious intent to curtail the liberty of the Petitioner.

44. It is further contended that the summons issued to the Petitioner under Section 50 PMLA are the same as Section 160 Cr.P.C. insofar as the investigation is concerned, which can be done virtually as well.

45. Reliance is also placed on Washesar Nath Chadha vs. State, (1992) 47 DLT 152, wherein while dealing with a Petition under Section 482



Cr.P.C. for cancellation of non-bailable warrants issued under Section 73 Cr.P.C. against the Petitioner who was residing in Dubai and was wanted by the Investigating Agency in Delhi, it was held that the Petitioner was not required to be arrested as an Accused. Rather, his presence was required only to join the interrogation of the case. The Court held that there was no valid warrant of arrest against him, nor could such warrants be issued by the Special Judge to direct the arrest of the Petitioner and to produce him before the Court, to make him available to the Investigating Agency or as a person who could throw some light on the facts of the case under investigation.

46. Similarly, the circumstances in which an NBW may be issued against an Accused were laid down in Inder Mohan Goswami and Ors. vs. State of Uttarakhand and Ors. 2007 (12) SCC 1, which are stated as under:

- (i) *When it is reasonable to believe that the person will not voluntarily appear in Court; or*
- (ii) *The police authorities are unable to find the person to serve him with a summon; or*
- (iii) *It is considered that the person could harm someone if not placed into custody immediately.*

47. The aforesaid circumstances are conspicuously absent in the present case, and no NBWs could have been issued against him.

48. Reliance is also placed on Sunil Kumar vs. State; 2002 Cr.L.J 1284, wherein the Co-ordinate Bench of this Court opined that coercive measures like the issuance of an NBW or process under Section 82 Cr.P.C., are only to secure the presence of the Accused, and the order passed to this extent must indicate the objective satisfaction of the Trial Court. Where the person is in regular contact with the investigating agency and is willing to appear through a prescribed and prevalent mechanism sanctioned by law, it cannot



be said that he is concealing himself. The NBWs were, therefore, directed to be cancelled.

49. Reliance is further placed on Mani Shandy vs. State (2008) 102 DRJ 578, wherein this Court, while dealing with issuance of NBWs and personal liberty of an individual, observed that every criminal Court is a creature of the Criminal Procedure Code and any order which is passed beyond the mandatory provisions empowering the Court to issue the warrants or proclamation or attachment of property under Section 83 Cr.P.C, have to be reasoned and in accordance with the essential requirements. Issuance of an NBW is not to satisfy the ego of a Judge, but to secure the presence of the Accused.

50. In Geeta Sethi vs. State, 91 (2001) DLT 47, the Co-ordinate Bench of this Court emphasized that Courts administering criminal justice must always remain alive to the presumption of innocence, which is the hallmark of criminal jurisprudence. The aim of the criminal trial is not to humiliate or harass an Accused, but to determine his guilt or innocence.

51. It is further contended that the Respondent/ED did not place on record Rule 3 of Chapter 1 of Part C(i) in Part III of the Delhi High Court Rules, which provides that a warrant should not be issued unless absolutely necessary.

52. It is further asserted that the Trial Court failed to appreciate that out of around 50 Accused persons, 25 are residing abroad in foreign countries, and no coercive process (either by way of an application for issuance of NBW or otherwise) has been initiated against them. The Respondent/ED has sought an NBW only against the Petitioner out of the other 25 Accused located abroad, which clearly reflects *the discriminatory nature of the investigation*.



53. It is further asserted that the Trial Court failed to appreciate that in a case under PMLA, 2005, the ED's job is to investigate the money trail, also termed as the movement of proceeds of crime. The money trail is traced through bank routes and account-to-account transfers, and the investigation pertains to the remitter and the receiver. The entire domain of investigation into these aspects, particularly the specifics of who is remitting and who is receiving the money, if any, lies unquestionably and *undeniably in the domain of documentary evidence alone and does not require any custodial interrogation*. The requisite documentary evidence has already been made available to the Respondent/ED.

54. It is claimed that the Respondent/ED admits that certain Companies namely *M/s Gordian Services SARL*, Tunisia and *M/s IDS Information Technology and Engineering SARL*, Tunisia, received alleged funds to the tune of Euro 400,000/- and Euro 24,377,020/-. The Respondent further admits that they already possess the required money trail, bank routes, and bank statements of all the Companies, having exercised the remedial power under Section 57 PMLA or otherwise in accordance with law. The Respondent has further admitted that the aforesaid Concerns remitted certain money to *M/s Interstellar Technologies Limited*, Mauritius, in regard to which the Respondent is also in possession of the requisite money trail. Therefore, all the relevant evidence of this transaction is already in the Respondent's possession and it does not require custody of any person for the purpose of further investigation. The learned Trial Court has not considered these aspects.

55. It is submitted that the learned Trial Court ought to have given due consideration to the fact that the Respondent already have filed the main



Complaint as well as a supplementary Complaint against one Accused, Gautam Khaitan. The second supplementary Complaint has been filed against Sushen Mohan Gupta, and the third supplementary Complaint has been filed against Ratul Puri. Similarly, a separate supplementary Complaint has been filed against Christian Michel James. None of the main Complaints or any of the supplementary Complaints contains any discriminatory or inculpatory material against the Petitioner.

56. Furthermore, all the documents, namely, the bank statements pertaining to appointment of Guido Haschke, as a non-executive Director in EMAAR MGF Land Limited, is already in possession of the Respondent. Moreover, every document pertaining to the Petitioner and his Companies is also with the ED. Despite the fact that Christian Michel James was arrested pursuant to extradition on 05.12.2018, the Respondent had never sought to confront him with the Petitioner, despite having the available opportunity. This indicates that NBW issued at the request of the Respondent is in surreptitious, illegal exercise, and the warrants should be quashed. Furthermore, the Petitioner does not have any knowledge or connection with the alleged discharge of Christian Michel James dated 06.12.2009 to Guido Haschke and Carlo Gerosa, as alleged by the Respondent.

57. The Petitioner further submits that he is neither the owner nor the Director, nor in possession, nor the beneficial owner of the Company Natille Timekeeper, Mayfair and Hall Park, and that he has not received any money from Interstellar or indulged in layering or laundering of the money related to the sale and purchase of Augusta Westland Helicopters. Furthermore, the Petitioner has never sought to take citizenship of the *Dominican Republic* or any other country and would never do so. The allegations made by the



Respondent in this regard, are completely baseless. The learned Trial Court has erred in relying on the case of A.K. Reddy (supra), as in the said case, the Petitioner was actually evading arrest.

58. Therefore, it is submitted that the impugned Order dated 05.12.2020, dismissing the Application of the Petitioner for cancellation of NBW, be set aside and the NBWs issued against him vide Order dated 29.08.2020, be cancelled.

59. **Counter Affidavit has been filed on behalf of the Respondent/ED,** wherein it is submitted that the learned D&SJ directed the issuance of *open-ended warrants* against the Petitioner vide Order dated 29.08.2020, after due consideration of all the facts and circumstances. This action is submitted to be absolutely in accordance with the law and the procedure laid down in Cr.P.C. read with the PMLA. The same do not warrant any interference or cancellation by this Court.

60. It is further claimed that this Petition is not sustainable since it is the settled position of law that the Accused must be present in person and submit himself to the jurisdiction of the Court for the cancellation of the NBW. Reliance is placed on Ashok Malik vs. M/s Soga Impex Private Limited and Anr., 2012 SCC OnLine Del 3464(2). It is the settled position of law that the Trial Court has jurisdiction and power to issue NBWs in aid of investigation, as has been held in the case of Mrigendra Jalan vs. State & Am. 2008 SCC OnLine Del 1067, Ottavio Quattrocchi vs. Central Bureau of Investigation (1998) SCC OnLine Del 519, State vs. Dawoon Ibrahim Kaskar (2000) 10 SCC 438] and Sukhmeet Singh Anand vs. State of NCT Delhi, 2018 SCC OnLine Del 10674.



61. It is submitted that the facts involved in the present case is that Augusta Westland International Limited, UK engaged Mr. Guido Haschke and Carlo Gerosa, along with Mr. Christian Michel James, as middlemen to influence the contract of VVIP Helicopters in favour of *M/s Augusta Westland International Limited*. Guido Haschke and Carlo Gerosa, received commissions through their Companies *M/s Gordian Service SARL*, Tunisia (Gordian) to the tune of Euro 400,000/- and *M/s IDS Information Technology and Engineering SARL*, Tunisia (IDS Tunisia) amounting to Euro 24,377,020/- under disguised sham Agreements. They both arranged further payments of kickbacks, to influence the contract of VVIP Helicopters in favour of *M/s Augusta Westland International Limited*, UK.

62. Furthermore, *M/s IDS Information Technologies & Engineering SARL*, Tunisia, out of the funds received by it, transferred at least Euro 12.4 million to the account of *M/s Interstellar Technologies Limited*, Mauritius. This entity is one of the main fronts used for laundering the proceeds of crime. A huge amount of the proceeds of crime received by *M/s Interstellar Technologies Limited* were then transferred to the accounts of Companies under the control of the Petitioner. The Bank Account Statement of *M/s Interstellar Technologies Limited* has been received from Mauritius through Letter Rogatory. The scrutiny of the same reveals that part of proceeds of crime received in *M/s Interstellar Technologies*, Mauritius, was transferred to various Companies under the control of Mr. Shravan Gupta.

63. It has been further revealed that Guido Haschke was a Non-Executive Director of *M/s EMAAR MGF Land Limited* from 25.09.2009 to 07.12.2009, whose Managing Director is the Petitioner. It is pertinent to mention here



that in a dispatch dated 06.12.2009 from Christian Michel James to Guido Haschke, the following was found mentioned:

“I am deeply concerned about this developing situation with Emaar. I wanted to warn you to resign as a Non-Executive Director in India two weeks ago but I have been waiting for a certain document to show you how bad the situation is. Unfortunately, things have gone wrong quicker than I have expected.”

64. The date of dispatch i.e. 06.12.2009 and Guido Haschke’s resignation on 07.12.2009 shows that the resignation of Guido Haschke from M/s EMAAR MGF Land Limited as a Non-Executive Director, was the consequence of Mr. Christian Michel James’ dispatch dated 06.12.2009. It is pertinent to mention here that Mr. Christian Michel James was a middleman engaged by *M/s Augusta Westland* to get the contract in its favour.

65. It is submitted that summons have been served upon the Petitioner *nine times for joining the investigations*, but he has been avoiding them on the pretext of his ill health, assuring that he would appear as soon as he is fit. It is asserted that the Petitioner and his family members *have also applied for citizenship of Commonwealth of Dominica*. By doing so, he is intentionally and deliberately evading the summons, thereby hampering the ongoing investigations under PMLA and scuttling the proceedings against himself on account of non-appearance.

66. The search and seizure operation have been conducted on the Group Companies and Associates of Shravan Gupta and incriminating documents and digital devices have been seized, which revealed incriminating facts against the Petitioner, *who is required to be confronted with these*



documents. The custodial interrogation of the Petitioner would be required for effective investigation.

67. The claim of the Petitioner that he has always supplied documents as and when instructed by the Respondent is factually incorrect. He time and again, was asked to disclose facts relating to his foreign entities but he has avoided disclosing about them. After receiving the response to LR's, the Respondent has come to know that the proceeds of crime were laundered and parked in his foreign Company as well. *It is not possible to confront the Petitioner with the voluminous documents recovered during the search conducted at his premises through the mode of video conferencing. Custodial interrogation is thus imperative to unearth the evidence and ascertain the proceeds of crime and their money trail.*

68. **On merit**, all the averments made have been denied.

69. It is asserted that the reliance on the Order of learned Special Judge, Hyderabad in CC No. 6/2012 dated 13.08.2020, is misplaced as the Application filed by the ED was dismissed on the ground that it had no locus standi to file the same as ED was not a party therein. The said Order, therefore, does not preclude the ED from filing the Application seeking an NBW against the Petitioner. It is denied that there is any mala fide on the part of the Respondent in seeking the NBWs.

70. The Apex Court in Union of India vs. Ashok Kumar (2005) 8 SCC 760, has held that it cannot be overlooked that burden of establishing mala fide is very heavy on the person who alleges this. They are more often easily made than proved, and the seriousness of such allegations demands proof of a higher order of credibility. There is no merit in the assertions made by the Petitioner.



71. It is further submitted that the decision in the case of Dr. Prafull B. Desai (supra) of the Apex Court is misplaced as in the said case; video conferencing was allowed in the exceptional situation pertaining to one Dr. Greenberg of Sloan Kettering Memorial Hospital, USA, *who was to be examined as a witness in the medical negligence case.*

72. Likewise, the reliance on Planned Parenthood Federation (supra) is misplaced as it pertains to *recording of evidence* on the ground that the witness was based in London and was unable to travel to Delhi for cross-examination. He was appearing for a charitable organization and was not in a position to incur a substantial expenditure required for travel and stay in Delhi. It is further submitted that the judgments relied by the Petitioner are on their own peculiar facts and do not apply to the present case. The judgments relied upon by the Petitioner are therefore, distinguishable.

73. It is submitted that the Petitioner left the country on 16.11.2019 and has, thereafter, refused to join the investigations on the ground of medical condition, despite the service of nine summonses. It is submitted that the present Petition is liable to be dismissed.

74. The ***Petitioner in his Rejoinder*** has re-affirmed the assertions made in the Petition and has denied the averments made in the Counter Affidavit.

Submissions heard and record perused.

75. The Petition has been filed under S. 482 of Cr.P.C. seeking to challenge an Order dated 05.12.2020, by which the Petitioner's Application for the cancellation of NBWs issued in ECIR No. 15/BZLO/2014, was dismissed.

76. The ECIR No. 15/BZLO/2014 was registered by the Respondent/Directorate of Enforcement on the allegations of corruption and



payment of bribes in the procurement of Augusta Westland Helicopters an Italian Company. Certain persons were arrested and were arraigned as accused in the said case. After two years of registration of ECIR, summons had been issued on 02.05.2016 asking him to join the investigations. He accordingly joined the investigations in the office of ED and provided full cooperation. He was interrogated at length for more than 7 hours. Significantly, as per the Petitioner's own case, he was served with summons again on 22.09.2017, i.e., after more than one and a half years. Likewise, further summons were issued to him between 23.11.2019 to 25.11.2019 in response to which the documents sought were duly supplied by the employee of the Petitioner. Thereafter, some more documents in relation to Income Tax Assessment of MGF Developments Ltd. and associate Companies were supplied from 26.11.2019 and 27.11.2019.

77. He, thereafter, travelled to U.K. in November, 2019 because of business exigencies, after seeking due permission from the CBI Court which was granted vide Order dated 30.01.2019. Thereafter, he has been asked by the ED nine times to join the investigations personally through summons from 16.12.2019 to 13.09.2020, but he has expressed his inability to join as he is not in India and owing to his ill health and legal and business commitments, through various e-mails but has volunteered to extend full cooperation and had authorized once *Mr. Rahul Upadhyay* to provide all the requisite information

78. It is pertinent to observe that the ED matter was registered in 2014, and even though it is now in 2025, the investigations vis-à-vis the Petitioner are being stalled. The repeated summonses have been sent to the Petitioner to join the investigations. He may have made all the documents available



through his Representative, but the fact remains that since 2019, his physical presence has been sought for the investigations to confront him with voluminous documents collected during the investigations, which he has been evading by claiming business exigencies and ill health.

79. *The primary issue* which needs to be determined is whether the learned Trial Court was justified in recording its objective satisfaction that the Petitioner was wilfully evading the process of law, despite the Petitioner's repeated offers to join the investigation through video conferencing, thereby warranting the issuance and subsequent refusal to cancel the Non-Bailable Warrants?

I. Legal Framework governing NBWs:

80. The issue of an NBW is a grave matter that affects the personal liberty of an individual guaranteed under Article 21 of the Constitution of India. Therefore, the power to issue a warrant, whether bailable or non-bailable, must be exercised judiciously and not mechanically. The Courts have, however, unequivocally emphasised that this discretionary power is primarily geared towards securing the presence of the accused and ensuring that the judicial process is not frustrated.

a. NBW as a Necessary Coercive Power and the Rule of Exception

81. The fundamental purpose of issuing a warrant is to compel the attendance of an accused, who has displayed a persistent reluctance or intent to evade the judicial process.

82. While acknowledging that an NBW is an extraordinary measure, the Apex Court in Inder Mohan Goswami & Ors. Vs State of Uttaranchal &



Ors., 2007 (12) SCC 1, noted that it is a necessary power vested in the courts to ensure that the due process of law is not frustrated by the accused.

83. The power to issue an NBW is a discretionary power that must be exercised judiciously, but as observed by the Apex Court in Raghuvansh Dewanchand Bhasin vs. State of Maharashtra, 2011 (11) SCR 300 this discretion is primarily geared toward securing the presence of the accused. It is further noted that a warrant of arrest cannot be issued mechanically; the court must record satisfaction that the facts and circumstances of the case warrant it.

84. Where the accused has been served with summons, and/or subsequent Bailable Warrants (BW), and failed to appear, the Trial Court is not only justified but *obligated* to issue an NBW to prevent the proceedings from stalling. As observed by the Apex Court in Sunil Kumar vs. State, 2002 Cr.L.J 1284, the issuance of an NBW in such circumstances, reflects the objective satisfaction of the Trial Court that the accused is wilfully trying to evade the process of law, thereby warranting the highest level of coercive action.

85. Coercive measures like issuing an NBW must serve to secure the presence of the accused and the order must denote the objective satisfaction of the Trial Court. Courts are cautioned that, as a general rule, at the first and second instance they must refrain from issuing NBWs, preferring a summons or bailable warrant if sufficient to secure appearance.

b. Magistrates Jurisdiction under Section 73 Cr.P.C. during Investigation:



86. The authority of the Magistrate to issue an NBW is not limited to the post-cognizance or trial stage; it explicitly extends to securing the attendance of the accused even while the matter is under investigation.

87. The ambiguity in regards to the scope of power under Section 73 was clarified by the Apex Court in State vs. Dawood Ibrahim Kaskar, (2000) 10 SCC 438, wherein it was observed that the power under Section 73 Cr.P.C. is an ancillary power provided to the Magistrate to aid the process of law and not just the formal trial. The Court observed that S. 73 is not limited to compelling attendance during trial and **can be used to secure the attendance of an accused during the investigation.**

88. The Co-ordinate Bench of this Court in Ottavio Quattrocchi vs. Central Bureau of Investigation (1998) SCC OnLine Del 519 upheld the Magistrate's power to issue a process (including a warrant) against an absconder even at the investigation stage, to prevent a miscarriage of justice. The Court noted that the Magistrate's authority stems from the general scheme of the Cr.P.C. which permits them to take measures necessary for the effective administration of criminal justice.

89. Further, in Mrigendra Jalan vs. State & Anr. 2008 SCC OnLine Del 1067, the Co-ordinate Bench of this Court after relying on Dawood Ibrahim Kaskar (supra) upheld the NBWs issued during the investigation. The Court further observed that where the investigating agency requires the Magistrate's aid to apprehend an absconder who is deliberately evading investigation, the Magistrate can certainly issue the NBW.

90. Another co-ordinate Bench of this Court in Sukhmeet Singh Anand vs. State of NCT Delhi, 2018 SCC OnLine Del 10674, reiterated the same principle that a Magistrate has the authority under Section 73 Cr.P.C. to



issue a Non-Bailable Warrant against an accused who is absconding and is required for the purpose of investigation.

91. The aforesaid judgements make it explicit that the issuance of an NBW is the logical and necessary consequence when an accused, having sufficient notice of the proceedings, *chooses to wilfully disregard the investigative process*. The issuance of an NBW becomes necessary when the accused's conduct suggests that he is evading the investigation. This evasion is clearly demonstrated by the failure to join the probe despite service of summons.

92. In Anil Kumar Madan, (supra) the Co-ordinate Bench of this Court observed that the accused's persistent non-cooperation and non-appearance, even after being given opportunities, justified the issuance of NBWs. The Court found that the conduct of the accused in "*continuously defying the process of law*" necessitates the use of coercive mechanisms to ensure their participation.

93. The justification for an NBW is significantly strengthened when the investigating agency has already established a prima facie involvement of the accused in the alleged offense. In A. Krishna Reddy (supra) another Co-ordinate Bench of this Court, explicitly noted that the Investigating Officer had concluded that the Petitioner was *prima facie* guilty and his custodial interrogation was necessary. This strong preliminary finding, coupled with the accused's failure to join the investigation, made the issuance of the NBW warranted and proper.

94. The Petitioner has vehemently relied on the case of Inder Mohan Goswami (supra), but the facts are distinguishable. Undeniably, NBWs are an extraordinary measure that should only be issued in compelling



circumstances, such as (i) belief that the person will not voluntarily appear; (ii) inability to serve a summons or (iii) fear of the person causing harm/tampering with evidence. However, in *Goswami* the caution against the State misusing NBWs was in the context of *civil or trivial cases*, and it was noted that NBWs should generally be avoided ***unless the accused is charged with a “heinous crime”***. The rationale is to prevent the criminal justice system from being used as a tool of harassment.

95. The present case however, involves serious economic crime and a deliberate evasion of the judicial process by the accused, and therefore, the judgement of *Goswami (supra)* is distinguishable on facts.

II. Application of Law to Petitioner’s Conduct: Wilful Evasion

96. The test is whether the Petitioner’s conduct satisfies the legal test for “wilful evasion”, thus justifying the issuance of NBWs.

97. The case is registered under the PMLA and relates to the Agusta Westland Helicopter Scam. The Enforcement Directorate (ED) alleges the accused is in receipt of Rs. 24 crore in proceeds of crime laundered through foreign Companies. This is a serious economic offense that “*affects the economic fabric of the society*” and poses a grave threat to national financial integrity as noted by the Apex Court in *P. Chidambaram (supra)*. The NBW is justified only if it is “*reasonable to believe that the person will not voluntarily appear in Court*”. This judgement sought to curb the arbitrary inference of “abscondence” in routine matters.

98. The accused’s conduct demonstrates a deliberate and calculated attempt to evade the process of law, satisfying the main requirement for NBW issuance. The accused provided a Medical Certificate advising 6 days



of rest for fever on 24.11.2019 but left for London only two days later, on 26.11.2019, demonstrating a “*clear intention to avoid the investigation*”. The accused failed to join the investigation despite the service of nine separate summonses. The accused is a resident of London/Dubai and is alleged to have applied for citizenship of the Commonwealth of Dominica, though denied by him, indicating a concerted effort to place himself beyond the reach of Indian law, thereby confirming the *Goswami* exception that he “*will not voluntarily appear.*”

99. NBWs should not be issued where the investigative purpose is merely procedural or primarily aimed at forcing a confession, as has been held in *Santosh*, (supra). However, in the instant case, the NBW is essential for legally compelling the custodial interrogation of the accused, which the investigating agency deems indispensable to uncover the complex money trail. The ED has stated that effective investigation and unearthing the conspiracy cannot be done without confronting the accused with voluminous documents seized during search in June 2020 and incriminating evidence received through Letter Rogatories regarding foreign entities controlled by him.

a. Prima facie case and Non-cooperation:

100. The justification for the NBW is significantly strengthened by the Petitioner’s prima facie involvement in the proceeds of crime, which reinforces the necessity of securing his person for investigation.

101. The investigations reveal that funds, which were the proceeds of crime from the main conspirators, were transferred to various Companies under the control of the Petitioner. Furthermore, the Petitioner’s Company, EMAAR MGF Land Limited, was connected to a middleman, Guido



Haschke, whose resignation coincided with a dispatch of Christian Michel James, pointing to his role in the alleged conspiracy.

102. The Investigating Officer concluded that the Petitioner was prima facie guilty and his custodial interrogation was necessary. ***This finding, coupled with the Accused's failure to join the investigation, made the issuance of the NBW warranted and proper,*** as established by this Court in A. Krishna Reddy, (supra) and Anil Kumar Madan, (supra).

b. Failure of Cooperation and Increased Flight Risk

103. The Petitioner's insistence on joining the investigation only through Video Conferencing (VC) and his overseas presence in London cannot be permitted to paralyze the proceedings in a serious matter pending since 2014.

104. The Petitioner cannot be allowed to take shelter behind V.C. rules. While he supplied documents through representatives, this does not absolve him of the mandatory requirement of physical presence when his custodial interrogation is imperative. Cooperation does not mean the Accused dictates the terms of the investigation.

105. The Respondent's contention that the Petitioner and his family have allegedly applied for citizenship of the Commonwealth of Dominica strengthens the conclusion that he is intentionally and deliberately evading summons and placing himself beyond the reach of Indian jurisdiction.

106. The Trial Court recorded its objective satisfaction that the Petitioner was evading the investigation and stalling the progress of a serious case, for years. This satisfaction, reflecting the Petitioner's persistent defiance of the law, rightly led to the issuance of the NBW.



III. Justification for Physical Presence and Rejection of V.C. Demand

107. The Petitioner's central argument rests on the premise that his willingness to join the investigation via Video Conferencing (V.C.) should negate the necessity of the NBW. This Court finds this contention to be wholly unsustainable in law and fact, particularly considering the nature of the PMLA offence and the requirement of effective investigation.

a. V.C. Rules Confer No Inherent Right to Evade Physical Appearance

108. It is contended on behalf of the Petitioner that the VC rules permit the joining of a party through V.C. However, V.C. has been introduced to facilitate the progress of trial and to cause minimum inconvenience to the witnesses, who otherwise are unable to travel.

109. However, it does not give an inherent right to the Petitioner to deny appearing in person even though his presence is mandatorily required. He cannot take a shelter behind VC Rules to assert that he can claim to join investigations through VC.

110. Furthermore, as has been explained by the Respondent, though the documents may have been made available on behalf of the Petitioner, but his physical presence is required to confront him with voluminous documents. As has been rightly submitted that the Petitioner cannot be confronted with these documents through V.C.; the Respondent was thus, well justified in seeking his physical presence. The repeat conduct of the Petitioner over a period of time clearly reflects that he was evading joining the investigations and the NBWs had been rightly issued against him.

111. The judicial acceptance of V.C. was intended primarily to minimize the inconvenience, expense, and travel required for witnesses who are often residing abroad or suffering medical conditions, during the trial stage. It was



a measure to facilitate evidence recording, not to protect an absconding accused from facing mandatory investigation.

112. V.C. rules do not confer an inherent right upon an accused who has deliberately evaded the process to dictate the terms of their appearance. The Court's power to compel attendance is paramount, and the Petitioner cannot be allowed to claim shelter behind V.C. to assert that he can join investigations through this digital mechanism.

113. It cannot be overlooked that this case was registered way back in 2014, but till date (i.e., after more than 11 years), the investigations have been stalled purely on account of the Petitioner's specious contention of joining through VC, which in the given circumstances cannot be held to be justified.

114. The Petitioner's reliance on various judgments Dr. Prafull B. Desai, (supra), and Manju Devi, (supra) that permit V.C. for recording evidence is misplaced and legally distinguishable. These judgments essentially pertain to recording of the evidence of the witnesses during the Trial, and none of them pertain to joining of investigations through VC.

115. It cannot be overlooked that the presence of the Petitioner is sought only for the purpose of his joining the investigations. There may be a misplaced apprehension that in case he appears for investigations, he would necessarily be arrested, for which he has ample safeguards and provisions under the law to seek protection.

116. The circumstances as explained by the Respondent, fully justifies his physical presence for effective investigations.

b. Physical Presence is Imperative for Custodial Interrogation:



117. As rightly contended by the Directorate of Enforcement (ED), the physical presence of the Petitioner is imperative for the purpose of confrontation with the voluminous documents recovered during the search operations and detailed interrogation, the incriminating digital evidence seized, and the crucial materials received through Letter Rogatories concerning his foreign entities; which cannot be effectively done through V.C.

118. The physical presence of the accused is necessitated to ensure immediate, effective, and legally valid responses. This is practically impossible to conduct comprehensively through V.C. where the documents cannot be verified and tendered instantly.

119. This Court acknowledges the principle that custody cannot be sought merely to extract a confession, as held in Santosh (supra). However, the present purpose is the unearthing of evidence and the tracing of the complex money trail in an economic offence, which is only possible through detailed, continuous custodial interrogation - a necessary tool that the investigating agency is entitled to employ.

120. And most significantly, the accused cannot be permitted to dictate the terms of investigation, like insisting on video conferencing in the instant case, when the complexity of the facts requires a detailed confrontation with voluminous documents, a process rightly held by the Trial Court to be difficult to conduct effectively *via* video conference.

121. As the Apex Court has aptly noted in Dukhishyam Benupani vs. Arun Kumar Bajoria, (1998) 1 SCC 52, the venue and manner of interrogation “*must be left to the investigating agency*”.

IV. Ancillary Pleas:



122. The Petitioner has raised several ancillary pleas that must be addressed.

a. Non-Applicability of Hyderabad Court Order

123. The Petitioner's reliance on the Order dated 13.08.2020 passed by the Special Judge, Hyderabad, in CC No. 6/2012 (*Enforcement Directorate v. CBI & B.S. Acharya and Ors.*) to demonstrate his *bona fides* and the viability of Video Conferencing (VC), is entirely misplaced.

124. The Respondent/ED has explained that its Application in that case was dismissed on the ground that the ED had no *locus standi* to file the Application, as it was not a party in the CBI case.

125. The finding of the Hyderabad Court where the ED's right to participate was denied on a technical ground, does not create a binding precedent on the merits of the investigation in the present ECIR (ECIR No. 15/BZLO/2014) or preclude the ED from seeking NBWs in the present matter.

126. Therefore, the Trial Court was correct in observing that the said orders were not relevant to the present case.

b. Failure to Prove Mala Fide or Political Vendetta:

127. The Petitioner's repeated assertion that the NBWs were issued *mala fide* due to political vendetta and for "*oblique reasons to curtail the precious liberty of the Petitioner,*" is an unsubstantiated and baseless allegation.

128. The Apex Court, in Ashok Kumar, (supra) established that the burden of establishing *mala fide* is very heavy on the person who alleges it. The seriousness of such allegations demands proof of a higher order of credibility. The Petitioner has completely failed to provide any concrete evidence to support this serious charge.



129. The NBWs were issued based on the objective fact of his persistent non-appearance despite nine summonses and the *prima facie* material showing his role in the proceeds of crime. These are legal and not *mala fide* grounds.

c. Discrimination Plea:

130. The Petitioner claimed discrimination, asserting that the ED initiated coercive process only against him, while 25 other co-accused residing abroad were spared.

131. The Petitioner's case is not one of simple non-cooperation, but of demonstrated wilful evasion and suspected flight. It may be mentioned that the Petitioner has asserted that he or his family members have not applied for citizenship of any other country, though the Respondent has contended that he had applied for the citizenship of Dominican Republic.

132. The investigating agency is entitled to seek coercive measures against any accused based on their individual conduct, the incriminating material recovered against them, and the necessity of their custodial confrontation which is sufficient to distinguish his case from others, thereby neutralizing the plea of discrimination.

d. Apprehension of Arrest and Legal Safeguards

133. The Petitioner's underlying fear is that his physical appearance will inevitably lead to his arrest. While the purpose of the NBW is to secure his attendance, the law provides adequate remedies for this apprehension.

134. The Petitioner's fear that he would "necessarily be arrested" is a misplaced apprehension. The Petitioner has ample safeguards and provisions



under the law to seek protection, once he subjects himself to the jurisdiction of the Court.

Conclusion:

135. In the totality of circumstances, it is hereby held that there is no ground for cancellation of the open NBW issued by the ACMM.

136. There is no merit in the present Petition which is hereby dismissed.

**(NEENA BANSAL KRISHNA)
JUDGE**

NOVEMBER 04, 2025

N/VA