

**CT No. 01/2023 (CNR No. DLCT11-11000050-2023)**  
**E.D V. M/s SSK Trading Pvt. Ltd & Ors.**  
**ECIR/DLZO-1/06/2018**  
U/s 4 r/w Section 3 of PMLA 2002

**19.05.2026**

**Present :** Sh. Atul Tripathi (VC), Ld. Spl. PP for E.D  
alongwith Sh. Akshay Sagar and Sh. Gaurav Mani  
Tripathi, Advocates.

**Sh. Vinod Shinde (VC) proposed A.R on behalf of  
A-42**

**A-8 Bikash Singhi is absent.**

Sh. Ashok Verma (VC), the AR for A-49.

A-2 Surender Kumar Bansal (VC), A-3 Shefali  
Bansal (VC),, A-9 Surender Kumar Jain (VC),  
A-10 Rajesh Kumar Aggarwal (VC), A-11  
Praveen Kumar Goel, A-12 Shirish Chandrakant  
Shah (VC), A-13 Praveen Kumar Jain  
(VC), A-14 Ashok Goel (VC), A-18 Parveen  
Gupta(VC) A-21 Pradeep Goel (VC), A-23 Kapil  
Gupta(VC), A-25 Hemant Kr. Aggarwal(VC) &  
A-27 Sanjeev Soni are on bail.

Sh. Bhavesh Seth, Ld. Counsel for A-2 and A-3.

Sh. Yash Dhyani (VC), Ld. Counsel for A-5.

Sh. Naveen Chawla & Ms. Vaishnavi Soni, Ld.  
Counsel for A-8.

Sh. Nagesh Behl (VC) & Sh. Mukul Rathore, Ld.  
Counsel for A-10.

Sh. Sushil Gupta, Ms. Sunita Gupta and Sh. Shresth  
Kumar, Ld. Counsel for A-11.

Sh. Vignaraj Pasayat, Sh. Naman Aggarwal and Sh. Eishan, Ld. Counsel for A-14, A-16, A-17 and A-21.

Ms. Jasleen Kaur & Ms. Ananya Singh,  
Ld. Counsel for **A-18 & A-20** M/s Ginni Holdings.

Sh. Kuldeep Gola & Sh. Harsh Kumar, Ld. Counsel for A-23 and A-24

Sh. Shrey Tanwar (**VC**), Ld. Counsel for A-26.

Sh S.P. Singh, Ld counsel for A9, A-29, A-36, A-38, A-39, A-40 and A-41.

Sh. Akshay Rana, Sh. Saurabh Pal & Ms. Aishvarya  
Ld. Counsel for A-12, A-13, A-42 & A-49.

Ms. Shipra Bhardwaj (**VC**), Ld. Counsel for A-31, A-33 & A-35.

Sh. Manish Baidwan(**VC**), Ld. Counsel for A-30 & A-37.

An application is moved on behalf of A-8 Bikash Singhi seeking exemption from personal appearance through counsel stating that he is out of station due to urgent work. In view of the submission, **A-8 is exempted from personal appearance only for today.**

Fresh Vakatnama is filed on behalf of A-14 and A-21. Be taken on record.

Memo of Appearance is also filed on behalf of A-16 & A-17. Be taken on record. Ld. Counsel seeks time to file Vakaltnama by next date of hearing. **Be filed.**

An application is also moved on behalf of A-14 and A-21 accused seeking permission to inspect unrelayed upon documents. **The same be registered separately as I.A.** Copy supplied to E.D.

At this stage, an application is moved on behalf of A-42 seeking substitution of A.R. **The same be also registered separately as I.A.** The copy of the same is supplied to E.D.

It is submitted by Ld. Counsel appearing through VC for A-31, A-33 and A-35 that the proceedings qua the said accused persons is still stayed by the Hon'ble High Court & next date of hearing there is 02.09.2026 and the accused persons are exempted through counsel.

**Today, the matter is listed for further arguments on charge on behalf of the accused persons.**

However, at this stage, Ld. Counsel for A-2 and A-3 has raised a preliminary objection with respect to the maintainability of the supplementary prosecution complaint filed by Enforcement Directorate (E.D).

It is argued that till the order is passed as to the taking on record of the said supplementary complaint, the matter cannot be proceeded further. It is their case that the further investigation has been carried out without the permission of the Court as warranted under **Section 173 (8) Cr.P.C (now under Section 193(9) of BNSS 2023)**. In this regard, reliance is placed upon the judgment of Hon'ble Supreme Court in case titled **Pramod Kumar & ors. V. State of U.P & Ors 2026 SCC OnLine SC 156**.

*Per contra*, Ld. Spl. PP for E.D argues that they have filed the supplementary complaint as warranted under section 44 of PML Act. On the last two dates, they had advanced their submission with respect to the pleadings in said supplementary complaint, however no such objection was taken.

It is further argued that in the supplementary complaint, no new accused person has been named and therefore,

no further arguments on charge on the basis of supplementary complaint were advanced by him on the last date of hearings. The supplementary complaint confines to the attachment of the properties which are part of the **Proceeds of Crime (PoC)**. Further there is no question of taking cognizance upon the same as cognizance of the offence is already taken on the basis of main prosecution complaint.

**Heard and considered.**

The crux of the issue raised on behalf of A-2 and A-3 is the maintainability of the supplementary prosecution complaint filed by E.D on 19.03.2026 by arguing that no specific permission of the Court was taken for conducting further investigation as envisaged under Section 173 (8) of Cr.P.C (**now under Section 193(9) of BNSS 2023**).

In order to appreciate the aforesaid plea raised on behalf of A-2 and A-3, the sequence of events right since the filing of the main prosecution complaint on 13.01.2023 till filing of the supplementary prosecution complaint on the 19.03.2026 needs delineation.

The present main prosecution complaint came to be filed in January 2023 seeking prosecution of the accused persons named therein for the offence under Section 3/4 PML Act 2002. The said case is based upon the scheduled offence registered by CBI vide RC-BD1/2018/E/0006 CBI/BS&FC, New Delhi dated 12.04.2018 under Section 420/467/471/468/120B IPC 1860 and Section 13 (2) r/w 13 (1) () of PC Act 1988.

It is alleged that the proceeds of crime in the said scheduled offence are Rs.187.29 crore. As per the complainant it is the wrongful loss caused to the lender banks and corresponding wrongful gain to borrowers and other co-

conspirators. The investigation was accordingly conducted by ED with respect to the said proceeds of crime. It is further alleged that proceeds of crime amounting to approximate to Rs.66 crores have been identified and the investigation qua identification of remaining proceeds of crime is under progress. Para-16 of the main prosecution complaint filed in January 2023 is reproduced hereunder for the sake of clarity and convenience:

**‘16. Further investigation in the case:** Proceeds of Crime amounting to Rs.66 Crores have been identified in the investigation done so far. Investigation qua identification of remaining Proceeds of Crime is under progress. Further investigation is going to identify other individuals/entities who might have assisted the accused arrayed in this Prosecution Complaint. The Complainant craves leave of the Hon’ble Court to adduce further evidence qua accused arrayed in this Prosecution Complaint.’

It is thus, apparent that only part investigation was concluded at the time of filing of the main prosecution complaint and the offenders connected to the proceeds of crime identified were named therein. Further, in the prayer clause of the said main prosecution complaint, the prayer clause (iii) the complainant specifically sought permission for filing of additional evidence through supplementary prosecution complaint, if required.

The record further reflects that the proceedings on very first day when the main prosecution complaint was taken up i.e 13.01.2023, a specific averment was made on behalf of Ld. SPP for E.D that the investigation is still going on and accordingly request was made for remanding the accused to judicial custody. **The very next order dated 24.01.2023 also records the fact that further investigation was going on.**

The cognizance on the said main prosecution complaint was taken by the Ld. Predecessor vide order dated 10.03.2023 wherein the accused persons named in the main prosecution complaint alongwith other offender companies connected to the main accused were ordered to be summoned.

It is thus, apparent that the said request of further investigation of E.D made by them specifically in Para-16 of the main prosecution complaint as reproduced herein-above was duly considered and taken note of. It is implied that the said permission for further investigation was granted and accordingly, the further investigation continued.

Even the explanation (ii) of Section 44 PML Act 2002 too envisages the filing of subsequent complaint in respect of further investigation thereby bringing further evidence oral or documentary against the accused persons involved in the offence for which the original complaint already stands filed. Thus, there was no legal bar on the Investigating Authority for conducting the further investigation for identification of remaining proceeds of crime and implied permission being granted by the Court in this regard.

The said permission aspect further gets fortified vide order dated 09.01.2026 wherein IA 18/2025 preferred by A-2 and A-3 seeking clarification of quantification of proceeds of crime, status of further investigation was sought, was disposed off.

It was specifically pleaded by the E.D that the further investigation is pending only qua unidentified portion of PoC and other potential offenders. The said plea has been taken on record vide the said order which again reflects permission being given for conduct of further investigation.

Even otherwise the supplementary prosecution complaint now filed only concerns the further limbs of proceeds of crime connected to the allegations levelled in Para-10.9 onwards of the main complaint. Therein it is alleged that the said diverted funds in the account of borrowers were layered through multiple entities and thereafter utilised for purchase of 20 properties in DLF Capital Greens, Moti Nagar, New Delhi. The said aspect of the case of the complainant has been only carried forward by identifying the status of the said immovable properties and thereafter attaching the said 20 immovable properties being Proceeds of Crime under Section 5 (1) of PML Act 2002.

In this regard, the statement of Vir Inderpal Sandhu, Vice President (Legal) of DLF Home Developers Ltd has been recorded in January 2025 wherein he explained about the present status of 20 flats purchased in the name of M/s A.S Technobuild Pvt Ltd {(A-5 ) (18 Flats)}, Surender Kumar Bansal {(A-2)1 Flat} and Ms. Shefali Bansal {(A-3) 1 Flat }.

The reliance placed upon by Ld. Counsel A-2 and A-3 judgment of **Hon'ble Supreme Court in Promod Kumar & Ors (Supra)** wherein the provision under Section 173 (8) of Cr.P.C has been interpreted by placing reliance upon earlier landmark judgment of **Vinay Tyagi V. Irshad Ali alias Deepak, (2013) 5 SCC 762, is also misplaced.** It has been concluded by the Hon'ble SC that there is no explicit mandate to seek leave of the Court before conducting further investigation. However, over the time practice has been developed to seek the permission of the Court.

In the present case in hand, the aforesaid mandate has been followed by Investigating Authority **through their specific pleadings in Para-16 of main prosecution complaint, prayer**

clause (iii) and later on through submissions recorded from time to time and lastly in reply to their application bearing IA 18/2025. Accordingly, the contention/preliminary objection advanced/raised on behalf of A-2 and A-3 for not taking on record the supplementary complaint being against the statutory mandate is liable to be rejected being a frivolous plea.

The matter is now listed for filing reply to the two I.As filed today and further arguments on charge on behalf of A-2 and A-3 and remaining accused person on **20<sup>th</sup> July 2026**.

(GAGANDEEP SINGH)  
Special Judge, PC Act, CBI-04  
Rouse Avenue District Courts,  
New Delhi: **19.05.2026**