

CNR No. DLCT11-000614-2025
CC No. 20/2025
ED Vs. M/s Ginni Gold Pvt. Ltd. & Ors.
ECIR/DLZO-I/20/2015

02.08.2025

Present: Sh. Atul Tripathi, Ld. SPP for ED.

On last date of hearing, a request was made by Ld. counsel for Directorate of Enforcement to file a brief synopsis with regard to the role of accused persons in the present matter. The same has been filed. It is taken on record.

The present complaint under Section 44 and 45 of the Prevention of Money Laundering Act, 2002 has been filed for offences under Section 3 read with Section 70, punishable under Section 4, by the Directorate of Enforcement. The present case arises out of FIR bearing No. RC/DST/2020/A/0005 which was filed on 01.06.2020 under Section 120B, 420 and 468 IPC read with Sections 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988 for the Predicate offence.

I have heard the arguments advanced.

Considering the fact that the present complaint was filed by Directorate of Enforcement after 7th July, 2025, i.e. when BNSS came into force.

Section 223 of BNSS, 2023 corresponds to Section 200 of the Code of Criminal Procedure, 1973. Proviso to Sub-Section 1 of Section 223 of BNSS, 2023, which calls for

issuance of a notice to the accused before taking cognizance, has been added and came into effect from 1st July, 2024 does not find place under Section 200 of the Code of Criminal Procedure, 1973.

Hon'ble Supreme court in the cases titled '*Tarsem Lal V. Directorate of Enforcement Jalandhar Zonal Office* in *Crl. Appeal No. 2608/2024 2024 INSC 434*' and '*Kushal Kumar Aggarwal V. Directorate of Enforcement* in *Crl. Appeal No. 2479/2025 2025 INSC 760*' have taken consistent view that a complaint filed by Enforcement Directorate under Section 44 and 45 of PMLA will be governed by Sections 200 to 204 of Cr.P.C. Thus, before taking cognizance of an offence, a Notice is required to be given to the accused persons.

In view thereof, before proceeding further, let Notice be issued to the accused persons returnable for 29.08.2025. Let this matter be listed for further proceedings on 29.08.2025.

(Kanwal Jeet Arora)
Principal District & Sessions Judge-
cum-Special Judge (PC Act) (CBI),
Rouse Avenue District Court
New Delhi/02.08.2025