



**IN THE COURT OF HON'BLE PRINCIPAL
DISTRICT & SESSIONS JUDGE, AHMEDBAD
[RURAL] AT NAVRANGPURA**

ORDER BELOW EXH. 52

In

PMLA Case No.10 of 2025

**SUB: Application u/s 348 of BNNS (Sec. 311 of
Cr.P.C) to examine the additional
prosecution witnesses.**

1. The complainant -Enforcement Directorate has filed this application u/s 348 of BNSS 2023 (Section 311 of Cr.P.C) to examined additional witnesses.
2. Ld. Spl. Public Prosecutor on behalf of the complainant submits that the prosecution wants to examine 8 witnesses as mentioned in the application. He submits that Sr. No.1 and 2 witnesses are the investigating officers of 2 FIRs which are part of schedule offence. The very base of money laundering case is on the schedule offence case. The Investigating officers are required to prove the schedule offence FIRs, which are objected by the accused and therefore, to prove the existence of schedule offence, examination of these witnesses is necessitated. Witnesses mentioned at Sr. No.3 to 6 are the Branch managers of respective banks with which the accused and his wife, Vyomeen Media Pvt. Ltd. and Khusi Advertising Ideas Pvt. Ltd. are maintaining their Bank accounts. Examination of these witnesses is necessitated to prove the money

transactions. The accused are not admitting the Bank statements which belongs to him and therefore, to prove the Bank Statements, examination of these witnesses is necessary. Witness at Sr. No.7 is registered Valuer who has carried out valuation of property pertaining to Office No.1125, Binori B Square-3 and Sr. No.8 is a witness, who has recorded statement of one Mr. Shardendu Srivastava under PMLA and therefore he is relevant witness. It is urged that examination of these witnesses and their relevancy are specifically mentioned in the application and they are necessary witnesses for just decision of the case. Ld. Spl. Public Prosecutor has relied on the decision of *Hon'ble Gujarat High Court in the case of Ramanbhai Bholidas Patel vs State of Gujarat, 2025(0) AIJEL HC 251138* and urged the Court that these witnesses be permitted to be examined for just decision of the case.

3. Ld. Advocate Mr. S.M.Vatsa has objected the application to examine additional prosecution witnesses. He submits that FIRs registered in schedule offences are produced by the prosecution on record. To prove the existence of schedule offences on the basis of FIR is concerned, the I.O. who has registered the FIR or investigating the schedule offence is not necessary witness. The witnesses at Sr. No.3 to 6 are Branch Managers of concerned banks and the prosecution wants to examine those witnesses to prove the bank a/c statements maintained by the accused and his wife as well as Vyomeen Media Pvt. Ltd. and Khusi Advertising Ideas Pvt. Examination of these witnesses is not necessary

or essential as Bank statements can be proved by other way also. It is submitted that the application to examine additional prosecution witnesses is to fill-up lacuna and to delay the trial as the Hon'ble Supreme Court has already directed for day to day examination of witnesses which were cited initially at the time of filing of prosecution complaint. It is accordingly urged to rejected the application.

4. Ld. Spl. Public Prosecutor Mr.Aniruddh Khambhoj for the prosecution and Ld. Advocate Mr.S.M. Vatsa for the accused. The accused is facing charge of having committed offence u/s 3 and 4 of PMLA Act. As per the prosecution case, the money laundering case is based on two (2) FIRs. The FIRs pertains to schedule offence cases and therefore, witnesses at Sr. No.1 and 2 would be relevant and necessary witnesses. Witness cited at Sr.No.3 to 6 are Branch Managers of respective Banks with whom accused, his wife and 2 firms namely, Vyomeen Media Pvt. Ltd. and Khushi Advertising Ideas Pvt. Ltd. are maintaining their respective Bank A/cs with the concerned Bank. It is required to note that it is the case of the prosecution that examination of these witnesses is necessary to prove transactions among the respective parties. The contention of the defence that the Bank statements can be proved by another way even without examining those Bank witnesses is not acceptable as those Bank Statements are objected by the defence. Witness No.7 is registered Valuer, who has valued the property in context of the prosecution that the

proceeds of crime which are generated are utilized for purchasing the property which is valued by this witness. The witness cited at Sr. No.8 is Assistant Director of Enforcement Directorate who has recorded statement of one Shri Shardendu Srivastava u/s 50 of PMLA Act. His evidence would also be relevant for the purpose of just decision of the case.

- 4.1 Having gone through the list of witnesses cited in the application alongwith their relevancy, the Court is of the opinion that examination of these witnesses would be relevant for the purpose of just decision of the case and further the defence will have his right to cross examine these witnesses and therefore, it won't cause any prejudice to the accused. The Court has also considered the decision in the case of *Ramanbhai Bholidas Patel (Supra)* relied by the prosecution while considering this application. Accordingly, following order is passed in the interest of justice.

ORDER

1. Present application Exh.52 filed u/s 348 of BNSS is **allowed**.

Date: 16/1/2026 (Kamal M. Sojitra)
Principal District & Sessions Judge
& Spl. Designated Judge (PMLA)
Ahmedabad (Rural).
(Code : GJ01494)