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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3387/2023 & CRL.M.A. 31441/2023 & CRL.M.A. 32671/2023 & CRL.M.A. 23732/2024**
PAWAN KANTPetitioner

Through: Mr. Dayan Krishnan with Mr Madhav
Khurana, Sr. Advocates with Vidnaraj
and Mr. Teeksh Singhal, Advocates.

versus

DIRECTORATE OF ENFORCEMENTRespondent

Through: Mr. Zoheb Hossain, Spl. Counsel with
Mr. Vivek Gurnani, Panel Counsel
with Mr. Kartik Sabharwal and Mr.
Pranjal Tripathi, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **11.02.2026**

CRL.M.A.3983/2026 (exemption)

Exemption allowed, subject to all just exception.

CRL.M.A. 3982/2026

1. Petitioner, who seeks quashing of order dated 17.07.2023 passed in ECIR/DLZO-I/39/2023, has moved the abovesaid application seeking return/release of his jewellery articles, which had been provisionally attached on 01/02.08.2023.
2. Admittedly, as per seizure memo, the value of the seized jewellery articles is Rs.22,96,08,863/-.
3. It is submitted that the daughter of the petitioner is getting married and the marriage festivities have already commenced. It is contended that jewellery articles are heirlooms and had been purchased by the petitioner and his family from legitimate sources of income. Therefore, it is prayed that the above-seized jewellery articles be returned and *in lieu*, thereof, the petitioner offers immovable property which, presently, is of much more value.

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4. It needs to be highlighted that earlier, at the time of provisional attachment, three pieces of agricultural lands were also attached. The details of such attachment are as under:-

S. N.	Description of Property	Owner	Percentage Value of the property considered for attachment	Value Considered for attachment (in Rs.)	Remarks
1.	Agricultural land measuring 18 Bighas 08 Biswas comprising in Khasra no. 695/2 (01-02), 697/2 (02-00), 696/3/2 (02-00), 698/2 (01-10), 699/1 (02-08), 700/1 904-00), 683/4 (00-12) and 692/2/2 (04-08) situated at Chhatarpur Mandir Road, Chhatarpur, Mehrauli, New Delhi - 110074	Mr. Pawan Munjal and Mrs Aniesha Munjal	50% of the area and value of the land	12,56,44,040/-	Value thereof property
2.	Agricultural land measuring 17 Bighas comprising in Khasra no. 676 (04-16), 685 (04- 16), 679 (03-12) and 684 (03-16) situated at Chattarpur Tehsil Saket, New Delhi - 110074	Mr. Pawan Munjal and Mrs Aniesha Munjal	50% of the area and value of the land	3,24,21,975/-	Value thereof property
3.	Agricultural land measuring 13 Bighas 11 Biswas comprising in Khasra no. 690/1/2 (04-16), 691 (04-16), 692/1 (01-04), 692/2/1 (00-14) and 695/1 (02-01) situated at Chhatarpur Mandir Road, Chhatarpur, New Delhi - 110074	Mr. Pawan Munjal and Mrs Aniesha Munjal	50% of the area and value of the land	9, 15,30,985/-	Value thereof property
			TOTAL	24,95,97,000/-	

5. The abovesaid three pieces of the land are, reportedly, owned by petitioner i.e. Mr. Pawan Munjal, as well as his wife i.e. Ms. Aniesha Munjal.



Admittedly, the worth of 50% share, belonging to the petitioner-Pawan Munjal, was assessed as Rs. 24,95,97,000/- and as substitution, towards the return of the abovesaid jewellery articles worth Rs.22,96,08,863/-, the remaining 50 % share is being offered for provisional attachment.

6. Learned Senior Counsel for petitioner submits that the wife of the petitioner has given her no objection and offers her share of 50%, which is also of the equivalent amount of Rs. 24,95,97,000/-, to be attached in the hands of Enforcement Directorate, until further orders. She also undertakes that she will not create any encumbrance or third party interest over the said properties, till the disposal of the present petition.

7. A specific affidavit to that effect has been placed on record which reads as under:-

"1. I say that through the Provisional Attachment Order No. 6/2023 dated 03.11.2023 ("PAO"), the Respondent has attached the three (3) immoveable properties mentioned at Page 1143-1144 in the Schedule to the PAO of the present petition ("Said Properties") which are jointly owned by me, to an extent of 50% of the value and area thereof, with my husband, i.e. the Petitioner herein.

2. I say that I hereby being the owner of other 50% of Said Properties, which have been valued at Rs. 24,95,97,000/- in the PAO, do hereby provide my no-objection to the Said Properties being deemed to be attached in the hands of Respondent through orders of this Hon'ble and in terms thereof and until further Orders of this Hon'ble Court, I hereby undertake that I shall not create any encumbrance or third party rights over the Said Properties.

3. I hereby clarify and state that the Said Properties have no encumbrances or third parties rights created over the portion which is owned by me.

4. I say that in lieu of the attachment of my 50% of the Said Properties, which have been valued at Rs. 24,95,97,000/-, this Hon'ble Court may be pleased to release the jewellery valued at Rs. 22,96,08,863/- of my and Petitioner's family."

8. Mr. Zoheb Hossain, learned SPP for ED submits that copy of the aboveaid affidavit was shared with the Directorate and the Competent Authority has given their 'no objection' with respect to the abovesaid substitution, as a special case, particularly, keeping in mind the forthcoming



wedding in the family of the petitioner.

9. The conditions of approval granted by the Enforcement read as under:-

"1. In the peculiar facts and circumstances of the case and without being treated as a precedent, the jewellery worth Rs. 22,96,08,863 seized vide seizure order dated 01/02.08.2023 may be substituted with the remaining 50% portion of lands belonging to the wife of the petitioner namely Aniesha Munjal claimed by the petitioner to be worth Rs. 24,95,97,000/-(Remaining 50% of land worth Rs. 24,95,97,000/- is already under attachment vide Provisional Attachment Order number 6/2023 dated 03.11.2023 - details of which can be found at Page 1143-1144).

2. Such remaining 50% of the land (details of which are at Page 1143-1144 in the schedule to the PAO No. 6/2023) may be substituted with the jewellery and deemed to be attached under section 2(d) of the PMLA in the hands of the Enforcement Directorate till further orders by this Court.

3. The owner of the property shall on affidavit provide her no-objection to the land being deemed to be attached in the hands of ED vide the orders of this Court and shall not create any encumbrance or third party rights over the same. She should also give her undertaking there are no encumbrances or third party rights over the said portion of the land.

4. ED may independently get the land valued to ensure that the proceeds of crime are suitably secured and if it is found that there is any shortfall in the value thereof, the petitioner shall give an undertaking to make good the said shortfall, if any with suitable liquid security."

10. The affidavit of Ms. Aniesha Munjal has been taken on record and she is made bound by the undertaking given therein. It is clarified that any violation would result in initiation of Contempt Proceedings.

11. The application is, accordingly, disposed of and the substitution in aforesaid terms is hereby, permitted.

12. As a result thereof, 50% share of the abovesaid three properties which is in the name of Ms. Aniesha Munjal, would be deemed to be attached and Ms. Aniesha Munjal would not create any third party interest in the abovesaid property, till further orders. Resultantly, the jewellery articles be returned to petitioner under proper acknowledgment.

13. It is clarified that abovesaid order has been passed in view of peculiar



facts and the special concession given by the Enforcement Directorate and shall not be taken as a precedent. Directorate would be at liberty to get the land valued and to take any further action, if required, in terms of said approval.

14. A copy of this order be given *dasti* to both the parties under the signatures of Court Master.

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List on 28.04.2026 for further arguments.

Interim order to continue.

MANOJ JAIN, J

FEBRUARY 11, 2026/sw/sa