

GAHC020000972026



**THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL
PRADESH)
KOHIMA BENCH**

Case No. : CRL.REVN/6(K)/2026

SHRI MHALELIE RIO
S/O SHRI RUKHIERU RIO, R/O BAYAVU HILL, KOHIMA, NAGALAND - 797001,
PERMANENT RESIDENT OF CHIECHAMA VILLAGE, KOHIMA, NAGALAND -
797001

VERSUS

THE ASSISTANT DIRECTOR, ENFORCEMENT DIRECTORATE
AUTHORITY UNDER PMLA, SUB-ZONAL OFFICE, DIMAPUR, 5TH FLOOR,
MAINAAK TOWER, GS ROAD, CHRISTIAN BASTI, GUWAHATI, ASSAM -
781005

Advocate for the Petitioner : SENTIYANGER,
KEVISERIENUO, YUKHAKOKLA, MAONGKALA, WAPANGLEMLA, NOCKLEI M
KONYAK, KONLI BUCHEM

Advocate for the Respondent : ,

**BEFORE
HON'BLE MR. JUSTICE PARTHIVJYOTI SAIKIA**

ORDER

Date : 26.02.2026

Heard Mr. Sentianger, the learned counsel appearing for the petitioner.

Mr. Sentianger submits that he has served notice upon the assistant of Mr. Y.B. Gupta, the learned Standing Counsel for the

Enforcement Directorate because Mr. Gupta is out of station.

There is no necessity to serve notice again upon the respondent.

Mr. Sentiyanger has submitted that before taking cognizance of the offences under Sections 120(B)/420 of the Indian Penal Code by the learned Special Judge, PMLA, Dimapur, the learned Special Judge did not comply with the first proviso to Sub-Clause (1) of Section 223 of the BNSS, 2023.

Mr. Sentiyanger has relied upon the decision of the **Hon'ble Calcutta High Court** that was delivered in **CRR 2072 of 2025** (***Tutu Ghosh Vs. Enforcement Directorate***).

Considering the submission made by Mr. Sentiyanger and after considering the provisions of law of the BNSS, 2023, it is hereby directed that till returnable date, the further proceeding of MLC/No.01/2025 pending in the Court of the learned Special Judge, PMLA, Dimapur shall remain stayed.

A copy of this order be given to Mr. Sentiyanger for furnishing the same before the trial court.

List after 4 (four) weeks.

Sd/-

JUDGE

Comparing Assistant