

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 754 OF 2025

Sunny Bathija

...Applicant

Vs.

Directorate of Enforcement
and Anr.

...Respondents

Adv. Mr. Niranjana Mundargi a/w Adv. Mr. Prakhar Parekh, a/w Adv. Ms. Keral Mehta a/w Mr. Sahil Charniya a/w Ms. Nupur Toshniwal	Advocate for the Applicant
Aayush Kedia h/f H. S. Venegavkar	Advocate for the Respondent-ED
Shailendra Gupta	Assistant Director ED present
Mr. H. J. Dedhia	APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 13th AUGUST 2025

P. C. :-

1. Not on board. Matter is taken on board by way of Praeipce. In view of the submissions made by ED before the learned Special Court, New Delhi, according to learned Advocate Mr. Mundargi that

submission is contrary to the earlier submission which they have made before this Court on 06.08.2025. Learned Advocate Mr. Mundargi has tendered a copy of the order dated 08.08.2025 passed by the Delhi Court. It clearly indicates that Mr. Manish Jain, who is Special Public Prosecutor appeared in that Court and made a request to withdraw their application filed under Section 44 of the PMLA Act. They were granted liberty to file it in future at an appropriate stage.

2. Learned Advocate Mr. Kedia tried to justify this option of the ED, on the basis of the subsequent development. It is for the ED to take a proper call. But now issue involved in this petition need to be decided by this Court. In view of that now the application needs to be decided on merits.

3. Learned Advocate Mr. Mundargi submitted that the Delhi Court is keeping the hearing of the case on a daily basis at the stage of framing of charge. Be that as it may, the hearing of this application has to be listed as per the other workload.

4. Learned Advocate Mr. Kedia submitted that even if the Delhi Court will take a decision, the case can be committed at that stage also, if this Court decides to give the necessary direction.

5. Stand over to 03rd September 2025.

[S. M. MODAK, J.]