

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 754 OF 2025**

Sunny Bathija
V/S.

... Applicant

Directorate Of Enforcement Through
The Deputy Director And Anr.

... Respondents

Mr. Vijay Agrawal (appearing through VC) a/w Yash Agrawal i/b
Sahil Charniya, for the Applicant.

Ms. Jagtap, for the Respondent No. 2.

Mr. Sukanta Karmakar, APP for the Respondent – State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 24th FEBRUARY, 2026.

P.C. :

1. Heard Mr. Vijay Agrawal, learned Advocate for the Applicant appearing through VC and Ms. Jagtap, learned Advocate for Respondent No. 2.

2. By the present Application the Applicant has sought for the following prayer relief:-

(a) Pass necessary orders and directions to the Respondent No. 1 to apply for transfer of the scheduled offence bearing CC No. 61 of 2022 titled “Central Bureau of Investigation vs Kapil Wadhawan

& Ors.” listed before the Ld. Rouse Avenue Court, New Delhi to commit the case to the Ld. Sessions Court, at Mumbai (Special Court PMLA) to be heard and tried along with the PMLA case bearing Spl. Case No. 726 of 2025 titled “Directorate of Enforcement vs. Kapil Wadhawan & Ors.” in a time bound manner;

(b) Pass ad-interim reliefs for expeditious hearing of the present Application to avoid delay in trial/proceedings;

3. Mr. Agrawal, by relying on the provisions of Section 44 (1) (c) of the Prevention of Money Laundering Act, 2002, submits that the proceedings before the Hon’ble Court in Delhi which is in respect of the predicate offence, is required to be transferred to the Special Court dealing with the PMLA case in Mumbai.

4. Ms. Jagtap submits that, though, an Application was filed seeking committal of the proceedings from the Delhi Court to the Mumbai Court, the said Application was withdrawn. She refers to paragraph nos. 7.1.2, 7.1.3, and 7.2 of the reply dated 3rd September, 2025, to justify the said withdrawal. She submits that the prayers as made in this Application are not tenable. She requests for time to raise objections to the maintainability of the

present Application before this Court.

5. According to Ms. Jagtap, since the issue in the present case is transfer of two proceedings pending before two different States, the present Petition seeking relief in the nature sought would not be maintainable. She therefore requests for time till 6th March, 2026. Request made by Ms. Jagtap is not opposed by Mr. Agrawal and Mr. Sukanta Karmakar, learned APP.

6. At the request of Ms. Jagtap and by consent of the parties, list this Criminal Application on 6th March, 2026.

(ASHWIN D. BHOBE, J.)

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