

Listed On: 13.07.2026

Court No.:

Item No.:

SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CRIMINAL) NO. 2234/2023

With

Interlocutory Application No(s) 12419/2023, 12421/2023

DIRECTORATE OF ENFORCEMENT

... Petitioner(s)

VERSUS

GAGANDEEP SINGH and others

... Respondent(s)

OFFICE REPORT IN AFTER NOTICE MATTER

1. This Hon'ble Court, on **10-02-2023** (notice issue date), has been pleased to pass the following order:

"The questions that have emerged for consideration in the instant petition are as follows :-

(1) If there is an acquittal/discharge in the scheduled offence, will the proceedings under the PMLA Act would still survive?

(2) If one is not an accused in the scheduled offence, still independent proceedings can be initiated under the PMLA Act?

Delay condoned.

Issue notice, returnable on 14.03.2023 (NMD).

In the meantime, the parties shall maintain status quo with reference to the properties referred to in the order impugned. "

This matter along-with other connected matters was lastly listed on **03-02-2026** and the Hon'ble Court was pleased to pass the following order:

"During the course of arguments, a larger issue has emanated pursuant to a query raised by this Court.

This is with respect to the interpretation of the word 'Crime', as mentioned under the provisions of Section 2(1)(u) of the Prevention of Money Laundering Act, 2002 (for short, 'the PMLA'). To invoke the jurisdiction under the PMLA, whether it requires the mere existence of a crime, notwithstanding any interdiction by the Court dealing with the predicate offence?

The incidental issue is on the impact of Explanation (i) to Section 44 of the PMLA, with respect to a decision made by a

Court dealing with the predicate offence at the interim stage of the proceedings under the PMLA, and the said Court decides to pass an order of quashment or discharge or acquittal or drops proceedings due to lack of sanction or in case of a compromise between the parties.

We would also like the learned ASG, learned senior counsel and learned counsel to address this Court on not only the aforesaid issues, but also on the decision rendered by this Court in ‘Vijay Madanlal Choudhary & Ors. Vs. Union of India & Ors.’ reported in (2022) SCC OnLine SC 929 and whether the said decision would have any bearing on the issues raised in these batch of matters.

Mr. Arkaj Kumar, learned counsel (Mob. No.9810478949, email ID: NODAL@ARKAJKUMAR.COM) is appointed as the Nodal Counsel in these matters.

List the matters on 08.04.2026 at 2.00 PM. Let the pleadings be completed in all these matters in the meanwhile.

The learned counsel, appearing for the respective parties, are permitted to file short written submissions/synopsis not exceeding four pages before the next date of hearing. "

It is submitted that certified copy of the order quoted above dated 03.02.2026, was issued to the High Court of Delhi for necessary action and compliance.

It is further submitted that counsel for the parties have not filed any written submissions/synopsis in this matter, so far.

2. It is submitted that there are four respondents in this matter. Therefore, the counsel for the petitioner was required to file 04 spare copies, but the counsel for the petitioner has not filed the same. Hence, show cause notice could not be issued to any of the respondents so far. The status as regards service position is as under :

Name of the Parties	Notice issued on	Notice served on	Status	Remarks
RESPONDENT No. - 1 GAGANDEEP SINGH	Not issued. Spare copy not filed	-		Vakalatnama/ appearance filed
RESPONDENT No. - 2 PARAMDEEP SINGH	Not issued.	-		Vakalatnama/ appearance

Name of the Parties	Notice issued on	Notice served on	Status	Remarks
	Spare copy not filed			filed
RESPONDENT No. - 3 GAURAV GUPTA	Not issued. Spare copy not filed	-	Service not complete	
RESPONDENT No. - 4 M/S RAJA AND CO. FOREX PVT. LTD. THR. ITS DIRECTOR GAGANDEEP SINGH AND PARAMDEEP SINGH	Not issued. Spare copy not filed	-	Service not complete	

3. The status of parties and pleadings as regards the special leave petition is as under:

Name of the Parties	Vakalatnama file by Advocate on-Record/ Memo of Appearance by Party in-person	Counter Affidavit filed on	Rejoinder Affidavit filed on	Page No(s)	Remarks
RESPONDENT No. - 1 GAGANDEEP SINGH	NIKHIL JAIN	Not filed			
RESPONDENT No. - 2 PARAMDEEP SINGH	NIKHIL JAIN	Not filed			
RESPONDENT No. - 3 GAURAV GUPTA	Service not complete				
RESPONDENT No. - 4 M/S RAJA AND CO. FOREX PVT. LTD. THR. ITS DIRECTOR GAGANDEEP SINGH AND PARAMDEEP SINGH	Service not complete				

Name of the Parties	Vakalatnama file by Advocate on- Record/ Memo of Appearance by Party in- person	Counter Affidavit filed on	Rejoinder Affidavit filed on	Page No(s)	Remarks
PETITIONER No. - 1 DIRECTORATE OF ENFORCEMENT	ARVIND KUMAR SHARMA				

4. The status of applications/affidavits/documents filed by the parties, subsequent to the filing of special leave petition, is as under:

S.No.	Appln. No.	Name of Advocate on- record	Filed on	Description of Application/Affidavit /Document	Page No	Remarks
1	12419/2 023	2324 - MUKESH KUMAR MARORIA	17-01- 2023 12:42:28	EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT		
2	12421/2 023	2324 - MUKESH KUMAR MARORIA	17-01- 2023 12:42:38	EXEMPTION FROM FILING O.T.		
3	48138/2 023	1714 - NIKHIL JAIN	03-03- 2023 10:51:29	VAKALATNAMA AND MEMO OF APPEARANCE		
4	279404/ 2024	1133 - ARVIND KUMAR SHARMA	02-12- 2024 15:40:07	MEMO OF APPEARANCE		

5. The petition along with the application(s) above-mentioned is listed before the Hon'ble Court with this office report.

DATE: 10-07-2026

ASSISTANT REGISTRAR

Copy to :-

- 1 Mr. Nikhil Jain, Advocate
- 2 Mr. Arvind Kumar Sharma, Advocate