

ITEM NO.33

COURT NO.7

SECTION X

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No. 2227/2024 in W.P.(Crl.) No. 31/2020

[Arising out of impugned final judgment and order dated 18-10-2024 in W.P.(Crl.) No. 31/2020 passed by the Supreme Court of India]

NOWHERA SHAIK & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No.246190/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.246189/2024-MODIFICATION OF COURT ORDER and IA No.246235/2024-APPLICATION FOR PERMISSION, IA No. 246235/2024 - APPLICATION FOR PERMISSION, IA No. 246190/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 246189/2024 - MODIFICATION OF COURT ORDER

Date : 10-10-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) : Ms. Kamini Jaiswal, Adv.  
Mr. Bharat Arora, Adv.  
Mr. Gourav Arora, Adv.  
Mr. Aditya Mishra, Adv.  
Himangi Arora, Adv.  
Ms. Nidhi Mohan, AOR  
Mr. Lzafeer Ahmad B. F., AOR  
  
Ms. Shreya Smriti, Adv.  
Mr. Taufeeq Ahmad, Adv.  
Ms. K. Parween, Adv.  
Mr. Durgesh Ramchandra Gupta, Adv.

For Respondent(s) : Mr. Kumar Vaibhaw, Adv.

Ms. Devina Sehgal, AOR  
Mr. Vineet George, Adv.

Mr. Suryaprakash V.Raju, A.S.G.  
Mr. Zoheb Hussain, Adv.  
Mr. Kanu Agarwal, Adv.  
Ms. Sairica Raju, Adv.  
Mr. Sughosh Subramanyam, Adv.  
Mr. Annam Venkatesh, Adv.  
Mr. Yuvraj Sharma, Adv.  
Mr. Arvind Kumar Sharma, AOR

Mr. Anand Dilip Landge, Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR  
Mr. Shrirang B. Varma, Adv.

Mr. Guntur Pramod Kumar, AOR  
Ms. Prerna Singh, Adv.  
Mr. Dhruv Yadav, Adv.

Mr. Ranjay Kumar Dubey, AOR

Mr. Dama Sheshadri Naidu, Sr. Adv.  
Mr. Aakarshan Aditya, AOR  
Mr. Abhinav Thakur, Adv.  
Mr. Tarurag Gaur, Adv.  
Mr. Vibhu Tiwari, Adv.

Mr. Mukesh Kumar, AOR

Mr. Anuj Prakaash, Adv.  
Mr. Niraj Dubey, Adv.  
Mr. Pradum Kumar, Adv.  
Mr. Kumar Mihir, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. In the course of today's hearing Mr. Annam Venkatesh, the learned counsel appearing for the Enforcement of Directorate (for short "the ED") brought two very shocking facts to our notice. The first thing that he pointed out was that it has come to the notice of the ED that the accused has entered into sale transactions with third parties with respect to four flats. According to Mr. Venkatesh although these four flats were under the attachment of ED, yet the accused proceeded to sell them off. ED has information that the accused has received approximately an amount of Rs.50 crore towards the sale consideration.

2. The second thing which Mr. Venkatesh pointed out was that some of the attached properties were put to auction. ED has been able to fetch approximately Rs.93 crore in the said auction. However, the accused is not cooperating with the ED insofar as execution of the sale deeds is concerned.

3. The third thing which Mr.Venkatesh pointed out was that the accused should not be permitted to operate her bank accounts and the bank accounts should be ordered to be freezed.

4. On the other hand, the learned counsel appearing for the accused submitted that she may be given sometime to take appropriate instructions in the matter, more particularly, as

regards what has been highlighted above.

5. Mr. Dama Sheshadri Naidu, the learned senior counsel appearing for one of the intervenors pointed out that his client has approached the High Court of Telengana against the action on the part of the ED in attaching one of the properties of which he is the lawful owner of the same. According to him he has a decree passed by the competent Civil Court in this regard.

6. We shall look into the issue highlighted by Mr. Naidu later. However, we request Mr.Venkatesh to instruct his client i.e. ED not to proceed further with the auction of this particular property. The descriptions of this property is as under:-

*"Land to an extent of about 07.00 Acres in Sy.No. 41, 174,177, 178, 179, 180/1, 181, 182, 211 of Tolichowki Village,Shaikpet Mandal, Hyderabad."*

7. Today also, we make ourselves very clear and reiterate that the ED shall proceed further with the attachment of all the properties owned by the accused and put them to auction in accordance with law.

8. We direct the accused to appear before the ED on a given date as she may be informed in writing for the purpose of

execution of the sale deeds failing which we shall take some coercive action against the accused.

9. Insofar as freezing of the accounts is concerned, the learned counsel appearing for the ED shall furnish the necessary details of the accounts on the next date of hearing.

10. We request Mr.Venkatesh to file an affidavit duly affirmed by a responsible officer of ED highlighting in what manner those four flats have been sold to third parties. At this stage, Mr.Venkatesh pointed out that he has already placed the necessary information in this regard on record by way of M.A. Diary No.51529 of 2025. One copy of this M.A. Diary No.51529 of 2025 be furnished to the learned counsel appearing for the accused.

11. Insofar as the sale transactions of the four flats are concerned, we leave it to the ED to proceed in accordance with law including invoking Section 102 of the Cr.P.C. now Section 106 of the BNSS, 2023.

12. If any statements are made by the accused or her associates before any media personnel or in any other mode or manner impeding the implementation of the various orders which are passed by this Court, we shall treat it as contempt of the Court and proceed accordingly.

13. List the matter on 17.11.2025 alongwith  
M.A.D.No.51529/2025.

(CHANDRESH)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)