

15.04.2025

3:00 pm

**Present :** Mr. N.K. Matta, Ld. SPP along with Mr. Naveen Rana, Deputy Director, HQ for the ED

**Prosecution complaint**

1. A fresh prosecution complaint under sections 44 and 45 of Prevention of Money Laundering Act (PMLA) 2002 for commission of offence of money laundering as defined under section 3 read with section 70 and punishable under section 4 of PMLA, 2002 filed by the ED, has been received by way of assignment.
2. Let the complaint be checked and registered.
3. The Ahlmad shall ensure that the entire file/documents are properly paginated.
4. The ED is directed to file a soft copy of the complaint and documents in readable/OCR format by the next date.

**Predicate Offence**

5. It is apprised by the Ld. Counsel for the ED that the predicate offence vide complaint case No. 18/2019 under sections 403, 406 & 420 read with section 120(B) of IPC, 1860 is presently under trial before the court of Ld. ACJM-03, Rouse Avenue Courts, New Delhi.

6. The court would notice that in view of section 44 (1)(c) PMLA, the predicate offence is required to be tried by the same court which has taken cognizance of the offence under section 3 PMLA. Essentially, the two offences viz the predicate offence and the PMLA offence are required to be tried by the same court.
7. This court is designated as a Special Court for trial of offences involving MPs/MLAs.
8. The present PMLA matter has been received by this court upon assignment by the Ld. Principal District & Sessions Judge-cum-Special Judge (PC Act) CBI, Rouse Avenue Courts Complex, New Delhi as proposed accused No.1 and 2 are sitting MPs from the Rajya Sabha and Lok Sabha respectively.
9. Since the allegations in the present complaint are arising from the predicate offence, the file in the predicate offence is required to be called for perusal.
10. However, the power of assignment or transfer of a matter is not vested with this court and is rather the prerogative of the Ld. Principal District & Sessions Judge-cum-Special Judge (PC Act) CBI, Rouse Avenue Courts Complex, New Delhi.
11. The Ld. Counsel for the ED submits that upon receiving instructions from the department, he shall move an appropriate application before the Ld. Principal District & Sessions Judge-cum-Special Judge (PC Act) CBI, Rouse Avenue Courts Complex, New Delhi.
12. The present prosecution complaint shall next be taken up for consideration on the aspect of cognizance before this court on

25.04.2025 when the Ld Special Counsel for the ED and IO shall also ensure the production of the case diaries for perusal by the court.

**Dr. Vishal Gogne**  
**Special Judge [PC Act][CBI]-24**  
**(MP/MLA cases), RADC)**  
**New Delhi/15.04.2025**