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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 1070/2023, CRL.M.A. 4106/2023

DIRECTORATE OF ENFORCEMENT Petitioner

Through: Mr. Zoheb Hossain, special counsel
for ED with Mr. Vivek Gurnani, Adv.

Versus

RAGHAV MAGUNTA Respondent

Through: Mr. Siddharth Aggarwal, Sr. Adv.
with Mr. Gautam Khazanchi, Mr.
Pratibhanu Kharola and Mr. Vaibhav
Dubey, Mr. Subham Jain and Mr.
Sughosh Subramanyam, Advs.

CORAM:
HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER
20.02.2023

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1. The present petition has been filed with the following prayers;

“a. Set aside the impugned direction in Para 18 of the impugned order dated 11.02.2023 passed by the Ld. Special Court, PMLA in CNR No. ECIR/HIU-II/14/2022.”

2. Sh. Zoheb Hossain, learned special counsel for the E.D. submits that the learned Trial Court has passed a direction for supply of certified copy of the grounds of arrest in contravention of the judgment of this



Court in *Moin Akhtar Qureshi vs. UOI* 2017 SCC OnLine Del 12108.

3. Learned Special counsel for the E.D. submit that though the certified copy of the grounds of arrest has already been obtained by the respondent from the Court, however, the observations made by the learned Special Judge regarding the supply of the copies is detrimental to the interest of the department.
4. Sh.Siddharth Aggarwal, learned senior counsel for the respondent submits that the learned Special Judge has rightly made an observation regarding the right of the accused to be supplied with the copy of grounds of arrest. Learned senior counsel also submits that since they had already got the certified copy of grounds of arrest from the Court, the present petition has become infructuous and is an exercise in futility.
5. Admittedly, the certified copy of grounds of arrest has been obtained by the respondent in pursuance to the order dated 11.02.2023 by the respondent. Thus, effectively no directions can be issued. However, the issue regarding supply of copy of grounds of arrest as per the learned senior counsel for the respondent is pending consideration before the learned Supreme Court in *Directorate of Enforcement v. Rajbhushan Om Prakash Dixit*. (diary No. 9365/2018)
6. Issue notice. Mr. Gautam Khazanchi, learned counsel for the respondent accepts notice and seeks time to file the reply.



7. Let reply be filed within four weeks with the advance copy to the learned counsel for the petitioner.

8. List on 10.07.2023.

DINESH KUMAR SHARMA, J

FEBRUARY 20, 2023

Pallavi