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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 4740/2026, CM APPL. 23161/2026 & CM APPL. 23162/2026**

Date of Decision: **09.04.2026**

IN THE MATTER OF:

DIVYANSH GOEL & ANR.

.....Petitioners

Through: Mr. Arun Khatri, Mr. Sahil Khurana,
Mr. Hitesh Nandal and Ms. Shelly
Dixit, Advs.

versus

THE DIRECTORATE OF ENFORCEMENT & ANR.

.....Respondents

Through: Mr. Sandeep Sharma, Sr. Adv. with
Mr. B.S. Rana, Mr. R.D.Sharma, Mr.
S. K. Deswal & Mr. Hunnypreet
Singh, Advocates.
Mr. Zoheb Hossain, Special Counsel
for ED with Mr. Vivek Gurnani,
Panel Counsel, Mr. Pranjal Tripathi,
Mr. Siddharth Bajaj and Mr. Satyam,
Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

JUDGEMENT

PURUSHAINDR KUMAR KAURAV, J. (ORAL)

1. The petitioners, all residents of Gurugram, Haryana, have filed the instant petition seeking following reliefs:

“i. Call for records and issue order/ direction or writ in the nature Certiorari thereby quashing and setting aside the search and seizure



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proceedings (including panchnama & search authorization no. 80/2025 dated 18.12.2025) conducted by ED on 19.12.2025 and 20.12.2025 at the residence of the petitioner to be illegal and unlawful;

ii. Call for records and issue order/ direction or writ in the nature Certiorari or any other writ thereby quashing and setting aside OA no. 29/2026 and “reasons to believe” u/s 8 (1) of PMLA issued by adjudicating authority/R-2 PMLA being illegal and non-est.

iii. Pass directions for taking appropriate action against concerned officers for conducting vexatious search in terms of section 62 PMLA, 2002.

iv. Pass any other order which this Hon“ble Court may deem fit in the interest of justice. 61.”

2. The facts of the case, as stated in the petition, appear to be that the Central Bureau of Investigation (‘CBI’) registered an FIR under section 120B read with sections 420, 467, 468, 471 of the Indian Penal Code, 1860 (‘IPC’), against certain individuals who were accused of operating alleged illegal call centres from New Delhi and adjoining areas. In pursuance of the investigation, CBI conducted search proceedings at the office premises of M/s Innonet Technology Pvt. Ltd., located at Tower-B, Building No. 10, 1st Floor, DLF Cyber City, Phase-II, Gurugram, Haryana, which is the purported place from where the alleged illegal call centres operated.

3. Taking the FIR of the CBI as a predicate offence, the respondent no. 1-Enforcement Directorate (‘ED’), on 30.08.2024, registered an ECIR bearing no. ECIR/GNZO/20/2024, at the Zonal Office of ED at Gurugram. Thereafter, in furtherance of a search authorization issued by Mr. Tushar Narayan, Deputy Director, ED, Zonal Office, Gurugram, between 20.08.2025 to 22.08.2025, the ED conducted a search at the residential premises of the petitioners at Building No. 8, Penthouse-B, The Hibiscus by SS Group, Sector 50, Gurugram, Haryana.



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4. During the said search, certain movable properties of the petitioners were seized. The said properties were sought to be retained by the ED, and thus, under Section 17(4) of the Prevention of Money-Laundering Act, 2002 (“PMLA”), an application was moved by the ED before the Adjudicating Authority. The petitioners, subsequently, received a show cause notice along with the “*reasons to believe*” under Section 8(1) of the PMLA from the Adjudicating Authority.

5. In the interregnum, the ED, had also issued, *inter alia*, summons dated 21.08.2025, 24.08.2025, 27.08.2025, and 08.10.2025, from its Zonal Office, Gurugram, calling upon the petitioners to join investigation.

6. Thereafter, it is stated that on 19.12.2025 to 20.12.2025 the ED carried out another search at the petitioners’ premises in Gurugram, in pursuance to a fresh search authorisation dated 18.12.2025 issued by Mr. Narayan, Deputy Director, ED, Zonal Office, Gurugram. Again, certain movable properties of the petitioners were seized. A fresh application was preferred by the ED *qua* the seizures made on 20.12.2025 before the Adjudicating Authority and resultantly a show cause notice along with certain “*reasons to believe*” were supplied by the Adjudicating Authority to the petitioners.

7. In terms of pleadings, the petitioner has not provided any reason as to why it has moved this High Court for adjudicating its *lis*. A bald averment has been made in para. 27 of the petition which reads as under:

“27.That the Hon’ble Court has the requisite territorial jurisdiction to entertain he present petition.”

8. However, a bare perusal of the aforementioned factual narration would reveal that the petitioners who are aggrieved by the conduct of the ED reside



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in Gurugram, the purported searches and seizures which is stated to be illegal also took place at and from the petitioners' residence in Gurugram, the ECIR itself, the investigating officers, as also the PMLA trial, is taking place in Gurugram.

9. While, Mr. Arun Khatri, learned counsel for the petitioners places reliance on various decisions including decision of full Bench of this Court in *Sterling Agro Industries Ltd. v. Union of India*,¹ *Alchemist Hospitals Ltd. v. ICT Health Technology Services India (P) Ltd.*,² and *Kusum Ingots & Alloys Ltd. v. Union of India and Anr.*,³ each of the said decisions have been considered by this Court in *The Indure Pvt. Ltd. v. Government of NCT of Delhi*,⁴ where after also considering the decisions in *Shristi Udaipur Hotels v. Housing and Urban Development Corp.*,⁵ *Riddhima Singh v. Central Board of Secondary Education*,⁶ *Smt. Manjira Devi Ayurveda Medical College and Hospital v. Uttarakhand University of Ayurveda and Ors.*,⁷ *Michael Builders and Developers Pvt. Ltd. v. National Medical Commission and Ors.*,⁸ it was held that that the situs of the head office of the respondent-authority, does not determine whether the Court has the requisite territorial jurisdiction, warranting a petition to be entertained.

10. The Court in *The Indure Pvt. Ltd.* importantly noted, at para. 36:

“36. A petitioner who approaches this Court to assail a decision of an authority situated in Delhi, when the underlying cause for the said decision

¹ 2011 SCC OnLine Del 1385.

² 2025 SCC OnLine SC 2345.

³ (2004) 6 SCC 254.

⁴ 2026:DHC:1605.

⁵ 2014 SCC OnLine Del 2892.

⁶ 2023 SCC OnLine Del 7168.

⁷ 2024:DHC:6903-DB

⁸ 2024:DHC:7146.



lies elsewhere, effectively attempts to make this High Court a mini-pan-India Superior Court exercising jurisdiction over all events which take place throughout this Country. There is no gainsaying with the proposition that every High Court is competent to adjudicate upon a lis which arises from events or actions taking place within its territory. Merely because the ultimate order, which is based on events taking place outside Delhi and takes cognizance of actions outside of Delhi, is passed within the jurisdiction of this Court, a writ petition ought not be entertained by this Court.”

11. On the issue of a claimant approaching this Court on the sole-ground of the respondent-authority, an arm of the State, being situated within the jurisdiction of this Court, it was observed at para. 37-38:

“37. Naturally, being the capital of the Country, various authorities and bodies having pan-India jurisdiction would be located within the jurisdiction of this Court. Merely because the decision making authority happens to be in Delhi, ought not to be the sole reason to entertain a lis in this Court. The decision, no doubt, may be passed in the national capital, but it is usually against persons situated outside Delhi; and even more importantly, for actions which took place beyond the borders of this Court. The act of giving a hearing in Delhi, or the passing of an order in Delhi, is merely a result of a body/authority being situated in the national capital, it has nothing to do with the lis, the offending action, the legal injury or the foundational facts on the basis of which action is being taken.

38. The case-law cited above, makes repeated reference to “dominant facts”, and facts which are “material, essential and integral” to the lis in question. In most cases, the fact that the order is passed, or the head office is located, or that opportunity of hearing was afforded, within the jurisdiction of this Court is completely immaterial, non-essential, and non-integral to the dispute in question. Any of the aforementioned three aspects could very well have taken place in another part of the Country, it is for the sole reason that Delhi is the national capital, that, in most cases these factors get connected to the jurisdiction of this Court. From another lens, it may be seen that regardless of what the underlying facts or legal injury/infringement may be, the order impugned would, in an overwhelming number of cases be passed from Delhi. If this be the case, can this constant factum, which shall remain present in each case, be considered a “dominant fact” or a “material, essential and integral” fact? The answer must be in the negative.”

12. Ultimately, the Court concluded that the substance of a matter must be



adjudged, and not the unchanging constant which is present in every petition against a State-authority, to arrive at a conclusion on whether to entertain a petition in the context of territorial jurisdiction and *forum non conveniens*. At para. 42 this Court observed:

“42. It is the substance of the matter which the Court must consider in determining the connection with Delhi. An order being passed by an authority in Delhi is an unchanging constant. This static/uniform facet, which is unmoved by the nature of the lis, ought not to determine where territorial jurisdiction would lie.”

13. In the facts of the instant case, there may be a part of cause of action which has arisen in Delhi, however, the same should not be the sole reason to entertain the instant petition.

14. The Supreme Court in the case of *Kusum Ingots & Alloys Ltd. v. Union of India and Anr.*,⁹ has held that even if a small part of cause of action arises within the territorial jurisdiction of the High Court, the same by itself may not be considered to be a determinative factor compelling the High Court to decide the matter on merit. In appropriate cases, the Court may refuse to exercise its discretionary jurisdiction by invoking the doctrine of *forum conveniens*. The material portion of the aforementioned decision reads as under:

“Forum conveniens

30. We must, however, remind ourselves that even if a small part of cause of action arises within the territorial jurisdiction of the High Court, the same by itself may not be considered to be a determinative factor compelling the High Court to decide the matter on merit. In appropriate cases, the Court may refuse to exercise its discretionary jurisdiction by invoking the doctrine of forum conveniens. [See Bhagat Singh Bugga v. Dewan Jagbir Sawhney [AIR 1941 Cal 670 : ILR (1941) 1 Cal 490] , Madanlal Jalan v. Madanlal [(1945) 49 CWN 357 : AIR 1949 Cal 495] , Bharat Coking Coal Ltd. v. Jharia Talkies & Cold

⁹ (2004) 6 SCC 254.



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Storage (P) Ltd. [1997 CWN 122] , S.S. Jain & Co. v. Union of India [(1994) 1 CHN 445] and New Horizons Ltd. v. Union of India [AIR 1994 Del 126] .”

15. The facts as narrated in para. 2-6 and 8 would reveal that the material, essential and integral part of the cause of action has arisen outside the jurisdiction of this Court. The factum of the predicate offence being registered at Delhi, would not lead to a different conclusion, particularly, because the offence of money-laundering under the PMLA, is an independent offence.¹⁰

16. In view of the same, the petition stands dismissed. Liberty is, however, granted in favour of the petitioner to approach the jurisdictional High Court to agitate the instant *lis*, if so advised.

17. All rights and contentions of the parties are left open.

PURUSHAINDR KUMAR KAURAV, J

APRIL 9, 2026/Sh

¹⁰ *Vijay Madanlal Choudhary v. Union of India*, 2022 SCC OnLine SC 929.