

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 561 OF 2024
IN
BAIL APPLICATION NO. 361 OF 2023

Rakesh Kumar Wadhawan

...Applicant

vs.

The State of Maharashtra

...Respondent

Mr.Harshad Nimbalkar a/w Mr.Hrishikesh Chitaley, Mr.Ashish Verma (Through V.C.) a/w Mr.Sagar Shetty, Mr.Satyam Nimbalkar, Mr.Abhishek Arote i/b. Mr.Sagar Shetty – Advocates for Applicant in Interim Application No.561 of 2024 in Bail Application No.361 of 2023, Interim Application No.3414 of 2023.

Mr.Aabad Ponda - Senior Advocate a/w Mr.Chandansingh Shekhawat (Through V.C.) a/w Mr.Subhash Jadhav, Mr.Yashovardhan Deshmukh i/b. Parinam Law Associates – Advocates for the Applicant in Bail Application No. 85 of 2023.

Mr.S.V.Gavand – APP for Respondent – State.

Mr.Deepak Dalvi – Senior P.I. a/w Mr.Suresh Padvi – P. I. – E. O. W. – Mumbai present in Court.

Mr.Ranjitsingh Patil – Jailor – Mumbai Central Prison – Mumbai present.

CORAM : S. M. MODAK, J.

DATE : 27th FEBRUARY 2024

P. C. :-

1. Heard learned Advocate Shri.Nimbalkar for the Applicant and learned Advocate Shri.Chitaley virtually for the Applicant. Also heard learned APP Shri.Gawand.

2. It is true that this Court as per the order dated 8th February, 2024 has granted an Interim Medical Bail to this Applicant in an offence registered with Economic Offences Wing [“EOW”]. This was valid for a period of three weeks from 8th February, 2024. The period is about to over on 29th February, 2024.

3. However, it is submitted that the Special Court as per the Prevention of Money Laundering Act, 2002 [“PMLA”] has refused to extend the period of Interim Medical Bail in an offence registered by Enforcement Department [“ED”] and accordingly, the Applicant has surrendered. So practically speaking, now, this Interim Medical Bail has become infructuous even though he has not surrendered in present offence. Otherwise, the Interim Medical Bail granted in present offence is operative till 29th February, 2024.

4. As this matter is kept today and this information is given. Further, it is submitted that they will not seeking for further extension. Hence, the arrangement made as per the order will automatically get vacated.

5. Hence, Interim Application No.561 of 2024 is disposed of.

BAIL APPLICATION NO.85 OF 2023

Sarang Wadhawan

...Applicant

vs.

State of Maharashtra

...Respondent

WITH

BAIL APPLICATION NO.361 OF 2023

Rakesh Kumar Wadhawan

...Applicant

vs.

State of Maharashtra

...Respondent

1. It is true that circulation was sought for these two matters and other two Bail Applications involving the offence under PML Act yesterday. But, it was made clear that if time permits, the Court will hear those matters today.

2. I have heard the respective sides on only two Bail Applications involving offence registered with EOW.

3. Today, it is submitted by Mr.Nimbalkar for the Applicant that there are no observations either by this Court or by Hon'ble Supreme Court in respect of the grounds agitated in this Bail Application.

4. Whereas, according to learned APP Shri.Gavand, there are observations by the trial Court while rejecting his bail but he admits that there are no observations by either this Court or by Hon'ble Supreme Court in respect of the grounds taken in this Application.

This is also in connected bail application as submitted by Mr. Gavand and confirmed by Mr. Ponda. **So, these two Applications are closed for orders.**

5. This Court will hear Bail Application No.3377 of 2023 and Bail Application No.3867 of 2023 on 4th March, 2024 at 4 p.m. on the point of filing of certain documents by E.D., about commitment of the case to the Special Court.

[S. M. MODAK, J.]