
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1335 OF 2024
IN
CRIMINAL WRIT PETITION NO.731 OF 2023

Mr. Sagar Maruti Suryawanshi ...Applicant

Versus

Directorate of Enforcement & Anr. ...Respondents

Mr. Ajay Bhise a/w. *Ms. Deepali Kedar i/b. Mr. Sagar Kursija,*
Advocates for Applicant.

Ms Prajakta P. Shinde, *AGP for Respondent-State.*

Mr. Harsh Dedhia h/f. *Hiten Venegavkar, Advocate for*
Respondent No.1.

Mr. Anil Anturkar, Senior Advocate a/w. **Minal Chandnani,**
for the Intervener.

CORAM : N.R. BORKAR &
SOMASEKHAR SUNDARESAN, JJ.

DATE : MAY 30, 2024
[VACATION COURT]

P. C.

1. Learned Counsel for the Applicant has brought to our attention, an Order passed by the Hon'ble Supreme Court dated 8th

May, 2024. That order has dealt with the submissions of the Applicant that when the predicate offence is not in existence, there is no question of the concept of “*proceeds of crime*” continuing to be available as a jurisdictional fact, for the Prevention of Money Laundering Act, 2002 and proceedings thereunder to subsist. The Hon’ble Supreme Court has issued notice returnable on 8th July, 2024 explicitly noting that if the Regular Bench of this Court, or the Vacation Bench does not grant interim reliefs by that date, then the Hon’ble Supreme Court would consider the provision of interim reliefs.

2. This Vacation Bench in this combination is sitting on its last day and it is 4.35 pm. The Vacation Bench sitting tomorrow would also sit only for one day in that combination, after which a different Bench could be available next on 5th June, 2024. Since the Court would reopen on 10th June, 2024, we place this matter for consideration, High on Board, by the Regular Bench, in view of the Order of the Hon’ble Supreme Court.

3. Stand over to 10th June, 2024, High on Board for consideration by the regular Bench.

4. Learned Counsel for the Applicant has also raised a grievance that on each of the occasions that the matter was listed before the

Vacation Bench, the absence of the Public Prosecutor has been cited for having the matter postponed. We trust and hope that there is no room for such a grievance to subsist once the Court reopen on 10th June, 2024, and this would be not a ground for any further delay in the matter.

5. Stand over to 10th June, 2024.

[SOMASEKHAR SUNDARESAN, J.]

[N.R. BORKAR, J.]