

Shabnoor

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.5435 OF 2024

Vijay Sopan Machinder ... Applicant
V/s.
Directorate Enforcement ... Respondent

**WITH
INTERIM APPLICATION NO.1487 OF 2025
IN
BAIL APPLICATION NO.5435 OF 2024**

Rajendra Nihalchand Surana ... Applicant
In the matter between
Vijay Sopan Machinder ... Applicant
V/s.
Directorate Enforcement ... Respondent

Mr. Harshad Rajeshirke a/w Saurabh Rajeshirke i/b
Sandeep Karnik for the Applicant.

Mr. Prasanna P. Malshe, APP for the State – respondent.

Mr. Yashashree Raut h/f Manisha Jagtap for the ED.

Mr. Prabhat Pandey a/w Ridhina Mangaonkar, Dinesh
Ladhwani, S. Gupta, Sonar i/b W Three Legal LLP for the
applicant.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 26, 2025

PC.:

1. The record shows that the applicant has now engaged a new Advocate, who has appeared in the matter today. It is not in

dispute that on the earlier occasion, Mr. Sandeep Karnik, learned Advocate, had represented the applicant and had already advanced submissions to some extent. The present matter is, therefore, part-heard at the stage of arguments.

2. It is further seen that the newly appointed Advocate was merely present in Court on the last date, when Mr. Karnik had argued the matter. He did not address the Court nor participate in the arguments. At this juncture, allowing the newly engaged Advocate to reopen the matter would not only disturb the part-heard stage of the proceedings but would also amount to permitting a fresh hearing in disregard of judicial discipline.

3. The principle of continuity of arguments in a part-heard matter is well recognised. Once a matter is partly argued by a particular counsel, propriety demands that the same counsel should continue and complete the arguments, unless exceptional circumstances are shown. Such a rule is necessary to avoid repetition of arguments, wastage of judicial time, and to ensure consistency in the submissions already made.

4. In the present case, no sufficient ground has been shown as to why the Advocate who had partly argued the matter should not continue. Mere engagement of a new counsel by the applicant, after the matter has become part-heard, cannot be accepted as a valid reason to deviate from this settled course.

5. Accordingly, in the interest of fairness, orderly conduct of proceedings, and judicial discipline, it is directed that the Advocate who had earlier appeared and partly argued, namely Mr. Sandeep

Karnik, shall continue to represent the applicant and conduct the proceedings in this matter.

6. Hence, list the bail application on **9 September 2025**.

(AMIT BORKAR, J.)