



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3377 OF 2023

Sarang Wadhawan  
Age : 47 Years, Occupation : Business,  
Presently lodged at : Mumbai Central Jail,  
Arthur Road, Mumbai. ...Applicant  
(Accused No.2)

*Versus*

Directorate of Enforcement  
Through : The Assistant Director,  
Zone Office – I, Kaiser – I – Hind  
Building, Ballard Estate, Fort,  
Mumbai – 01. ...Respondent

ALONG WITH  
CRIMINAL BAIL APPLICATION NO. 3867 OF 2023

Rakesh Kumar Wadhawan  
Age : 71 Years, Occupation : Business,  
Presently confined at:- Wadhawan  
House, Plot No.32/A, Union Park  
Road No.5, Nr. JN Petit School,  
Bandra (W), Mumbai : 400 051. ...Applicant  
(Accused No.1)

*Versus*

1. Directorate of Enforcement  
Through : The Assistant Director,  
Zone Office – I, Kaiser – I – Hind  
Building, Ballard Estate, Fort,  
Mumbai – 400 001. ...Respondent No.1
2. The State of Maharashtra ...Respondent No.2

**\*\*\*\*\***

Mr.Aabad Ponda–Senior Advocate a/w Mr.Chandansingh Shekhawat, Mr.Subhash Jadhav, Mr.Yashovardhan Deshmukh i/b. Parinam Law Associates:-	Advocates for Applicant in Criminal Bail Application No. 3377 of 2023.
Mr.Hitesh S. Venegavkar a/w Mr.Ayush Kedia:-	Advocates for Respondent– Directorate of Enforcement.

**\*\*\*\*\***

Mr.Harshad Nimbalkar a/w Mr.Hrishikesh Chitale, Mr.Ashish Verma, Mr.Sagar Shetty, Mr.Satyam Nimbalkar, Mr.Abhishek Arote, Ms.Sonia Redkar, Ms.Shraddha Nagaonkar, Mr.Akshay Naik, Mr.R.Chhabra i/b.Mr.Sagar Shetty:-	Advocates for Applicant in Criminal Bail Application No.3867 of 2023.
Mr.Hitesh S. Venegavkar a/w Mr.Ayush Kedia:-	Advocates for Respondent No.1– Directorate of Enforcement.
Mr.S.V.Gavand:-	APP for Respondent No.2–State.

**\*\*\*\*\*****CORAM : S. M. MODAK, J.****DATED : 5<sup>th</sup> APRIL 2024****P. C. :-**

1. For the reasons recorded separately, which are under typing, following order is passed:-

**ORDER**

- (i) Both Bail Applications i.e. Bail Application No.3377 of 2023 and Bail Application No.3867 of 2023 are

allowed.

- (ii) Applicant–Sarang Wadhawan and Applicant–Rakesh Kumar Wadhawan arrested in connection with ECIR No.ECIR/MBZO-I/09/2019 dated 3<sup>rd</sup> October 2019 registered with Enforcement Directorate – Mumbai for the offence punishable under Sections 3 and 4 of PML Act, 2002 in proceeding PMLA Special Case No.8 of 2019 and now pending before Designated Special Court under the PML Act, 2002 be released on bail on furnishing Personal Bond and Surety Bond of Rs. 5,00,000/- (Rupees Five Lakhs Only) each.
- (iii) They are directed not to leave the State of Maharashtra unless any justifiable reason is there and that too, with taking prior permission of trial Court.
- (iv) They are directed not to threaten the Prosecution witnesses and allure them in any manner.
- (v) They are directed to attend the trial Court punctually.
- (vi) They are directed to surrender the passport to the EOW/ED, if they have not earlier surrendered.
- (vii) Learned Registrar General to interact with learned Principal Judge, City Civil Court about : pending matters involving under PML Act and scheduled offences (on the aspect of availability of staff and deputation of requisite number of Judges and connected issue).

2. Bail Applications are disposed of.
3. Pending Interim Application, if any, stands disposed of.

[S. M. MODAK, J.]

4. After pronouncement of the order, learned Senior Advocate Shri.Ponda requested that for limited duration, cash bail be allowed. Because, it will take time for arranging the surety. It is opposed by learned Advocate Shri.Venegavkar.

52. The prayer for cash bail cannot be allowed. There is a purpose behind insisting for surety bail and that too, heavy surety. Because, the presence has to be secured. Hence, it is rejected.

[S. M. MODAK, J.]