

MHCC020054472025



IN THE COURT OF SESSIONS, DESIGNATED AS SPECIAL COURT
UNDER THE PML ACT, 2002, GR. BOMBAY
ORDER BELOW EXH.7
(Under Sec.88 Cr.P.C.)
IN
PMLA SPECIAL CASE NO.675 OF 2025
ECIR NO.ECIR/04/MZO/2013

Shri Mukesh Suresh Rajak

...Applicant (A4)

Versus

Directorate of Enforcement

...Complainant

Appearance:

Ld. Advocate Sharad Mulik for Applicant/Accused No.4

Ld. Spl. P.P Mr. Arvind A. Aghav for ED, Mumbai.

CORAM : A.C.DAGA,
ADDITIONAL SESSIONS JUDGE
DESIGNATED SPECIAL COURT UNDER
THE PML ACT, 2002. (C.R.N.16)

DATE : 02nd MAY, 2025.

ORDER BELOW EXHIBIT 07

1. Instant application is filed by the accused No.04 Mukesh Suresh Rajak for releasing him on bond under Section 88 Cr.PC. It is pleaded in the application that applicant/accused No.04 was never arrested in the crime. He has co-operated in the investigation. Charge-sheet has already been filed. On the basis of notice received by him, he has appeared in the Court. Hence, prayed for releasing him on bond under section 88 of Cr.PC.

2. Ld. SPP has contested the application by giving say on the application and has pleaded that the offence is of serious in nature. There is apprehension that accused will abscond, even there is likelihood that accused will influence the witnesses. Investigation is under progress, therefore, accused is required to attend the office of Enforcement Directorate. Therefore, Ld. SPP prayed for rejection of the application.

3. Heard both parties.

4. Ld. Advocate for the accused No.04 during arguments has relied upon the judgment in the matter of ***Tarsem Lal Vs. Directorate of Enforcement reported in 2024 SCC OnLine SC 971***. I have gone through the said judgment. Accordingly, the law laid down is that in case, accused appears in the Court after a summons was issued under Section 204 of the Cr.PC. on taking cognizance of the offence, then he shall not be treated as if he is in custody. Therefore, it is not necessary for him to apply for bail. However, the Special Court can direct the accused to furnish bond in terms of Section 88 of the Cr.PC.

5. Considering the law laid down by the Hon'ble Apex Court referred *supra* coupled with the fact that the apprehension of the Ld. SPP can be dealt with by imposing conditions. Accordingly, I pass the following order:

ORDER

1. Application (Exh.7) is allowed.

2. Applicant **Mr. Mukesh Suresh Rajak (A-4)** be released under Sec. 91 of BNSS on his executing PR bond of Rs. 1,00,000/- (Rupees One Lakh Only) with one or two sureties of like amount.
3. Applicant **Mr. Mukesh Suresh Rajak (A-4)** be released on provisional cash security of Rs.1,00,000/- on condition to furnish surety within four weeks.
4. Applicant **Mr. Mukesh Suresh Rajak (A-4)** shall undertake not to tamper with the evidence of ED and not to pressurize the witnesses of ED.
5. Applicant **Mr. Mukesh Suresh Rajak (A-4)** shall undertake not to travel abroad, without prior permission of the court.
6. Applicant **Mr. Mukesh Suresh Rajak (A-4)** shall attend each and every date of trial of this case scrupulously in future.



Dt.: 02.05.2025

(A.C. Daga)
Additional Sessions Judge
Designated as Special Court under
the PML Act, 2002
City Civil & Sessions Court, Mumbai

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED ORDER”	
06.05.2025 UPLOAD DATE AND TIME	(MRUNAL S. PENDKHALKAR) NAME OF STENOGRAPHER
Name of the Judge	H.H. THE ADDITIONAL SESSIONS JUDGE A.C. DAGA (COURT ROOM NO.16)
Date of pronouncement of order	02.05.2025
Order signed by P.O. on	06.05.2025
Order uploaded on	06.05.2025