

MHCC020055142025



IN THE COURT OF SESSIONS, DESIGNATED AS SPECIAL COURT
UNDER THE PML ACT, 2002, GR. BOMBAY

ORDER BELOW EXH.31
(Under Sec.88 Cr.P.C.)

IN

PMLA SPECIAL CASE NO. 726 OF 2025
ECIR NO.ECIR/MBZO-I/62/2022

Ajay Vazirani

Residing at 803, A Wing,
Quantum Park, Khar(West),
Mumbai- 400 052.

...Applicant/
Accused No.10

Vs.

The Directorate of Enforcement

Government of India,
Through the Assistant Director,
Mumbai Zonal Office-I,
4th Floor, Kaiser-I-Hind Building,
Ballard Estate, Fort, Mumbai 400 001.

...Respondent/Complainant

Appearance:

Ld.Advocate Aditya Mehta a/w Ld. Advocate Rishab Botadra a/w Ld.
Advocate Farhad Panthaki a/w Ld. Advocate Santosh Pawar for
Applicant/Accused No.10
Ld. Spl. P.P. Mr.Sunil Gonsalves for ED, Mumbai.

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

DATE : 11th AUGUST, 2025.

ORDER BELOW EXHIBIT 31

1. Instant application is filed by accused No.10 Ajay Vazirani for releasing him on bond under Section 88 Cr.PC. (Section 91 of BNSS). This application is strongly opposed by giving reply on the application by the ED/Ld. Spl.PP on the ground that the accused persons in connivance and collusion with each other assisted in laundering proceeds of crime. The investigation is in progress. In the complaint, the specific role of accused has been specified. The economic offence committed by the accused should be dealt with hard hands. If the accused is released, there are likely chances of absconding of the accused and delay the trial.

2. Heard Ld. Advocate for the applicant and Ld. SPP Sunil Gonsalves for ED, Mumbai.

3. Admittedly, the accused was not arrested during the course of investigation and even after filing of the prosecution complaint till date. Admittedly, the ED had not initiated any proceeding to arrest the accused in this ECIR under section 19 of the PML Act, 2002. Already prosecution complaint has been filed and the cognizance has been taken. The Hon'ble Apex Court in the case of ***Tarsem Lal Vs. Directorate of Enforcement reported in 2024 SCC OnLine SC 971*** has held that, *when an accused appears pursuant to a summons issued on the complaint, the Court will be well within its powers to take bonds under section 88 of Cr.PC. from the accused to ensure his appearance before the Court. Therefore, when an accused appears before the Special Court under a summons issued on the complaint, if he offers to submit bonds in terms of section 88 of Cr.PC., there is no reason for the Special Court to refuse or decline to accept the bonds. Executing a bond will aid the*

Special Court in procuring the accused's presence during the trial. It is also observed that once cognizance is taken of the offence punishable under section 4 of PML Act, 2002, the Special Court is seized of the matter. After the cognizance is taken, the ED and other authorities named in Section 19 cannot exercise the power of arrest of the accused shown in the complaint.

4. In view of the decision of the Hon'ble Apex Court, the application is qualified under section 88 of Cr.PC. (91 of BNSS). All apprehensions and grounds which are put-forth by the ED for opposing this application can be taken care by imposing certain conditions. Therefore, the applicant deserves to be released as per section 88 of Cr.PC. (91 of BNSS). Hence, I proceed to pass following order-

ORDER

1. Application (Exh.31) is allowed.
2. Applicant **Ajay Vazirani (A-10)** 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 **Ajay Vazirani (A-10)** be released on provisional cash security of Rs.1,00,000/- on condition to furnish surety within four weeks.
4. Applicant **Ajay Vazirani (A-10)** shall undertake not to tamper with the evidence of ED and not to pressurize the witnesses of ED.
5. Applicant **Ajay Vazirani (A-10)** shall undertake not to travel abroad, without prior permission of the court.

6. Applicant **Ajay Vazirani (A-10)** shall attend each and every date of trial of this case scrupulously in future.
7. The Applicant **Ajay Vazirani (A-10)** shall undertake to attend whenever ED directs during their further investigation.



Dt.: 11.08.2025

(R.B. Rote)
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”	
11.08.2025 UPLOAD DATE AND TIME	(MRUNAL S. PENDKHALKAR) NAME OF STENOGRAPHER
Name of the Judge911	H.H. THE ADDITIONAL SESSIONS JUDGE R.B. ROTE (COURT ROOM NO.16)
Date of pronouncement of order	11.08.2025
Order signed by P.O. on	11.08.2025
Order uploaded on	11.08.2025