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IN THE COURT OF MCOCA SPECIAL JUDGE AT GREATER BOMBAY
(Exclusive Special Court constituted for the cases
against the accused-Rajendra Sadashiv Nikalje @ Chhota Rajan)

CRIMINAL REVISION APPLICATION NO.151 OF 2025

**The Central Bureau of Investigation, New
Delhi, (RC.24/S/2019-SC.II/SCU-VI/MUM
& The State of Maharashtra (at the instance
of DCB-CID, Unit-IV, C.R.No.04/2000) Appellant**

Versus.

Santosh Mahadev Sawant Respondent

**CORAM : HIS HONOUR THE SPECIAL JUDGE
MCOCA/POTA/NIA/TADA AND ADDL.
SESSIONS JUDGE SHRI A.M. PATIL**

C.R.NO. : 57.

DATE : 18.02.2025.

SPP Mr. P.D. Gharat for Appellant/CBI/Prosecution.
Adv. Mr. Prakash Shetty for respondent/accused.

**ORDER
(DICTATED IN OPEN COURT)**

1. By way of present application, the appellant/Prosecution prayed for quashing the order dated 23.11.2024 passed by the learned ACJM, 37th Court, Esplanade, Mumbai for granting permission to accused Santosh Mahadev Sawant for traveling to Singapore.
2. At the time of arguments, the learned SPP pointed out para no.3 of the impugned order. He submitted that the respondent jumped the bail order and fled away to other country. Thereafter, he surrendered

... 2 ...

before CBI only because of the pressure put on him by way of following the Extradition Request with Singapore Authority and he was arrested by CBI at Chhatrapati Shivaji Maharaj International Airport on 18.03.2023. He further pointed out the observation of the learned ACJM that the respondent has not committed any breach of the bail order and argued that the said observation is per se illegal. He further submitted that the accused was in abscondance for last 10 years and was concealing himself out of India. The respondent is active member of organized crime syndicate led by notorious gangster Chhota Rajan and hence, the impugned order as well as observation of the learned ACJM is illegal.

3. On the other hand, learned Advocate for the respondent submitted that the applicant has obtained certified copy of the impugned order on 16.12.2024. In spite of that the present revision is filed in February 2025. He further pointed out that as per the impugned order, the respondent was permitted to travel to Singapore from 01.12.2024 to 01.01.2025. The period granted to travel to Singapore has already been ended on 01.01.2025 and this revision is filed in February 2025 and therefore, the revision itself is not maintainable as the order become infructuous. At the time of argument, he further argued that the observation in para no.3 challenged by the applicant is in respect of present bail granted to him by the Court and not in respect of earlier order. Hence, he argued that the present revision is devoid of merit and needs to be dismissed.

4. Perused application, say and impugned order. Also, heard learned Advocates of both the parties. It is true that the impugned order has become infructuous. So far as observation in para no.3 of the impugned

... 3 ...

order is concerned, the fact that the respondent was brought from the Singapore is material. It is seen that the CBI exerted more to bring the accused to India and also, pursued the Extradition Request with Singapore Authority and this was happened only because of jumping of bail condition by the accused and therefore, the said observation in para no.3 is not seen to be relevant while passing the order.

5. At this juncture, it is necessary to see the effect of impugned order. Already the impugned order has become infructuous and therefore, there is no need of any adjudication in respect of challenge to the said order by the applicant and hence, the relief sought by the applicant does not survive. Hence, the following order :-

ORDER

Criminal Revision Application no.151 of 2025 is dismissed and disposed off accordingly.

Date : 18.02.2025

Place : Mumbai.



(A.M. PATIL)
SPECIAL JUDGE

Exclusive Special Court constituted for the cases
against the accused-Rajendra Sadashiv Nikalje @ Chhota Rajan

Dictated and typed on : 18.02.2025.

Signed on : 18.02.2025.

"CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED
JUDGMENT/ORDER"

DATE : 18.02.2025, AT 05.19 P.M.

M.K. SAKHARKAR

STENOGRAPHER GRADE-I

NAME OF STENOGRAPHER

UPLOAD DATE AND TIME

Name of the Judge (with Court no.) : SHRI A.M.PATIL. C.R.NO.57.

Date of pronouncement of judgment/order : 18.02.2025.

Judgment/order signed by the P.O. on : 18.02.2025.

Judgment/order uploaded on : 18.02.2025, AT 05.19 P.M.