

IN THE SPECIAL COURT UNDER P.M.L. ACT, GR. BOMBAY

ORDER BELOW EXH.9
IN
PMLA SPL. CASE NO.588 OF 2022

Suresh Shamrao Hedau
At Post Arvie, Tal-Koregaon,
Dist. Satara, ... **Applicant**

Versus

Enforcement Directorate ... **Respondent**

Appearance:

Applicant-in-person.
Ms. Sanjana Sharma, Ld. Spl. P.P.

CORAM : M. G. DESHPANDE,
SPECIAL JUDGE UNDER PML ACT,
(C.R.No.16)

DATE : July 15, 2022.

ORDER

1. This is an application by the applicant Mr. Suresh Shamrao Hedau for allowing his Advocate Mr. Satish Uke to attend his matters pending before the Hon'ble Bombay High Court, Bench at Nagpur on 15.07.2022 and for that, transit remand be granted to Mr. Satish Uke from 14.07.2022 to 22.07.2022.

2. This application was preferred on 14.07.2022 before the Ld. In/Charge Court, of this court, who directed to put up the same before the Presiding Officer i.e. this Court. However, today the applicant is not present till 01.00 p.m. when repeatedly called.

3. Careful reading of his application indicates that, Mr. Satish Uke is representing him in Election Petition No.EP/10/2019 and it is on the verge of final stage. It is alleged that, on 31.03.2022 at 05.30 a.m. Mr. Satish Uke was arrested by the Enforcement Directorate. He was taken to Mumbai without any transit remand by taking law in hand by the ED. He was not produced before the Court within 24 hours. None of the Courts initiated any action against such act of ED, though ED took law in their hand. It is further alleged that, on 01.04.2022 his matter was scheduled before the Hon'ble High Court, but Mr. Uke, his Advocate was absent, hence, it was adjourned for four weeks. Even thereafter, it was adjourned time to time due to the same reason. He further contains that, his Advocate Mr. Uke is the only person who accepted his brief, though he was ready to pay huge fee to the other lawyers, but no one responded him. In this background he further referred how allegations made by him in the said Election Petition are true and he wants Mr. Uke to argue the matter before the Hon'ble High Court.

4. I carefully examined the allegations in the application. I am constrained to note that, Mr. Uke is arguing his bail application in person. Even he had dealt with his remand proceedings on his own. Various allegations relating to his arrest and production before this Court by the ED were already dealt with vide the concerned proceedings. There is nothing before the Court to indicate that, Mr. Uke has challenged the same before the Hon'ble High Court. In this background first part of the contentions in this application regarding illegality in the arrest of Mr. Uke, made by the applicant is without any locus and the same is baseless.

5. Regarding the contention of the applicant as to how there is merit in his Election Petition, this Court cannot speak a word as the matter is pending before the Hon'ble High Court.

6. It has to be noted that, once any person is arrested and further remanded to judicial custody, there is complete legal restraint on his professional activities. Therefore, the prayer made in this application has to be rejected. Hence, following order is passed :-

ORDER

Application (Exh.9) stands rejected.

Dt.: 15.07.2022



(M.G. Deshpande)
Spl. Judge under PML Act,
City Sessions Court,
Mumbai.

Signed on

: 15.07.2022

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

16.07.2022 at hours UPLOAD DATE AND TIME	(KISHOR PRAKASH SHERWADE) NAME OF STENOGRAPHER
Name of the Judge	HHJ M. G. DESHPANDE (COURT ROOM NO.16)
Date of pronouncement of judgment/order	15.07.2022
Judgment/order signed by P.O. on	15.07.2022
Judgment/order uploaded on	16.07.2022