

**IN THE SPECIAL COURT DESIGNATED UNDER THE PML ACT, 2002
GR. BOMBAY**

ORDER BELOW EXH.16
IN
PMLA SPL. CASE NO.1728 OF 2023

Naresh Goyal
72, Jupiter Apts., Anstey Road,
Off. Altamount Road, Mumbai - 400026 ... **Applicant (A1)**

Versus

Directorate of Enforcement,
Mumbai Zone II Office,
Ceejay House,
Unit Nos.301-303, 402-403,
Dr. Annie Besant Road,
Worli, Mumbai – 400018 ... **Prosecution**

Appearance:

Mr. Aabad Ponda, Sr. Counsel a/w Ld. Advocates Mr. Ameet Naik, Ms. Yugandhara Pawar Jha, Mr. Abhishek Kale, Mr. Harish Khedkar, Mr. Aditya Ajgaonkar, Mr. Parikshith K., Ms. Anjali Sharma, i/b Naik Naik & Co. for the applicant.

Mr. Sunil Gonsalves, Ld. Spl. P.P

CORAM : M. G. DESHPANDE,
DESIGNATED AS SPECIAL COURT
UNDER THE PML ACT, 2002.
(C.R.N.16)

DATE : February 29, 2024.

ORDER

1. Naresh Goyal, the accused No.1 in this case, initially submitted a bail application (Exh.9) on 08.12.2023, citing various grounds such as merits, medical conditions, and age. While arguments by Ld. Sr. Counsel Mr. Aabad Ponda were ongoing on the merits,

another application (Exh.16) was filed on 15.02.2024, titled "Application for grant of interim medical bail," seeking permission for specialized treatment and specific investigations. This application, closely linked to the pending bail application (Exh.9), emphasizes medical references, particularly the diagnosis of malignancy by the concerned doctors. The contention revolves around medical tests conducted in a private hospital, with a Small Biopsy Report from 03.02.2024 indicating the presence of umblicated structures with an ulcer, consistent with Multiple Neuroendocrine Tumors. The Enforcement Directorate opted for a second opinion through a Medical Board from Sir J.J. Group of Hospitals, a move not objected to by accused No.1. Consequently, the Dean of Sir J.J. Group of Hospitals was approached to form the Medical Board, addressing specific questions for their opinion.

2. On 21.02.2024 the Medical Board so constituted forwarded its (i) Cardiology Opinion, (ii) Orthopedic Opinion, (iii) General Medicine Opinion, (iv) General Surgery Opinion and further informed this Court as follows,

“Hence the medical Board Committee states that the sickness (Neuro Endocrine Tumor) of patient is ascertained based on reports provided to the committee and the proposed treatment for the same is not available in Sir J.J. Group of Hospitals”.

While opining as such, the Medical Board referred as follows,

“Management plan for Neuro Endocrine Tumor will be decided only after DOTA scan & above mentioned blood investigations. For this patient might have to take a Gastroenterologist opinion, which is also not available in J.J. Hospital”.

This is the main ground for seeking interim medical bail for accused No.1 as the proposed treatment for his (A1) illness is not available in Sir J.J. Group of Hospitals. This second opinion by constituting medical board was at the instance of Enforcement Directorate (for short ED) and the same confirmed the illness of accused No.1, hence Ld. Sr. Counsel Mr. Aabad Ponda heavily pressed this application for grant of interim medical bail.

3. ED vide say (Exh.16B) strongly opposed this application and contended to reject the same on following contentions and grounds,

- i. The Medical Board's Report dt.20.02.2024 thought expresses its inability to deal with the illness of accused No.1, the required medical facilities catering to proper diagnoses and treatment thereof, if required can be provided to the accused No.1 through Government run hospital in Mumbai wherein such specialized medical facilities are available. Hence, he (A1) be referred to Government Hospital as deem fit by this Court.
(paragraphs 2 and 3 of the say Exh.16B).
- ii. Law laid down in the case of **Saumya Chaurasia Vs. Directorate of Enforcement, [Special Leave Petition (Criminal) NO.8847 of 2023]** is relied on, wherein it is held as, "In essence, the courts should exercise the discretion judiciously using their prudence, while granting the benefit of the first proviso to Section 45 PMLA to the category of persons mentioned therein. The extent of involvement of the persons falling in such category in the alleged offences, the nature of evidence collected by the investigating agency etc., would be material consideration".
- iii. Law laid down in the case of **Kewal Krishan Kumar Vs. Enforcement Directorate (2023 SCC OnLine Del 1547)** is relied on arguing that while dealing with a case wherein regular bail had been sought under the PMLA on medical grounds, who would qualify as a 'sick' or 'infirm' under the Proviso of Sec.45 of the PMLA, which is also analogous to the Proviso of Sec.437 Cr.PC. and the Hon'ble Supreme Court in **Pawan alias Tamatar Vs. Ramprakash Pandey [(2002)9 SCC 166]** laid down that, **every sickness does not ipso facto entitle an accused to medical bail.**

- iv. Law laid down in the case of **Sanjay Jain (in JC) Vs. Enforcement Directorate [2023 SCC OnLine (Del) 3519]** is relied on wherein it is laid down that **power to grant bail on medical grounds under the PMLA is discretionary and must be exercised in a judicious manner.**
- v. Law laid down in the case of **State Vs. Jaspal Singh [(1984)3 SCC 555]** is relied on, wherein it is laid down as,
“11. In the circumstances, I am of the view that the High Court should not have enlarged the respondent on bail in the larger interests of the State. It is urged that the respondent is a person who has undergone a cardiac operation and needs constant medical attention. I am sure that the prison authorities will arrange for proper treatment of the view that the High Court of the respondent whenever the needs for it arises”.
- vi. The Prosecution Complaint categorically discloses applicant’s definite role in the commission of offence charged against him.
- vii. The applicant has actually and actively involved in committing criminal and wrongful activity in order to derive the profits and acted with preconceived design to prejudice the revenue of the Nation and by his indulgence with proceeds of crime he is involved in the offence of money laundering.
- viii. The trial is at a nascent stage and referring him for treatment at specialized government health care institution would suffice the alleged sickness of the accused No.1.
- ix. Sufficient care and precautions are being taken by the jail doctors to ensure the well being of the accused No1.
- x. ED’s investigation is underway, the accused No.1 cannot be enlarged on bail as there is a pressing need to investigate fairly and ensure that all the legal processes are being duly followed without any tampering of evidence or exercising influence.

These are the contentions raised by ED in Exh.16B which are referred as it is. With this, ED strongly opposed the application and contended to reject the same.

ARGUMENTS

4. Ld. Sr. Counsel Mr. Aabad Ponda relying on the Report of the tests of the accused No.1 undertaken in Sir H.N. Reliance Foundation Hospital and Research Centre and assent given to it by the

Medical Board, Sir J.J. Group of Hospitals, which was constituted at the instance of ED. He further submitted that wife of accused No.1 has been already suffering from Cancer and this sickness squarely falls within the ambit of First Proviso to Sec.45 of the Prevention of Money Laundering Act (for short PML Act). Ld. Sr. Counsel Mr. Ponda further specifically submitted financial condition of the accused No.1 is very bad and he is unable to bear the escort charges, hence, the court may not direct his hospitalization, but grant him interim bail. With this, he strongly contended for grant of temporary bail.

5. On the contrary, Ld. SPP Mr. Gonsalves referred to comments made by Dr. Seena George of Sir H.N. Reliance, emphasizing that the biopsy only reveals features of a Neuroendocrine tumor involving the first and second part of the duodenum (NET G1). According to Mr. Gonsalves, the alleged tumor features are present, but a conclusive diagnosis has not yet been established. He further highlighted the General Surgery opinion from the Sir J.J. Hospital Medical Board, pointing out the recommendation for a DOTA SCAN to evaluate and confirm the disease. Mr. Gonsalves stressed the need for additional blood investigations, such as Serum Insulin and Serum Gastrin, which are unavailable at Sir J.J. Group of Hospitals. Consequently, he argued that there is no confirmed diagnosis of Neuroendocrine Tumor for Accused No.1. In this context, Mr. Sunil Gonsalves strongly proposed for transferring the medical care of Accused No.1 to Tata Memorial Cancer Hospital in Mumbai, equipped with expert hands and all necessary facilities. However, he vehemently opposed the granting of interim bail, highlighting the accused's involvement in money laundering, particularly with public funds.

6. In response, Ld. Sr. Counsel Mr. Aabad Ponda, relying on the case of **Satyendra Kumar Jain vs. Directorate of Enforcement [Petition(s) for Special Leave to Appeal (Crl.) No(s).6561/2023 delivered on 26.05.2023]**, rebuked the suggestion by Ld. SPP Mr. Gonsalves. Mr. Ponda argued that citizens have the right to choose and bear the expenses for their preferred medical treatment in a private hospital. Against this backdrop, he questioned how the Enforcement Directorate could dictate otherwise? Mr. Ponda raised critical questions: Whose life is at stake? Who has the authority to decide where Accused No.1 should seek treatment – himself or the ED? With these arguments, Ld. Sr. Counsel Mr. Aabad Ponda strongly pressed for the grant of interim bail on medical grounds.

7. I carefully examined these arguments. Also, I carefully read the Medical Board's Report.

8. On 21.02.2024, the constituted Medical Board provided its opinions in **(i)** Cardiology, **(ii)** Orthopedics, **(iii)** General Medicine and **(iv)** General Surgery. The Board informed the Court that the Neuro Endocrine Tumor sickness of the patient (Accused No.1) was confirmed based on the provided reports, and the proposed treatment was not available in Sir J.J. Group of Hospitals. In stating so, the Medical Board highlighted that the management plan for Neuro Endocrine Tumor depended on a DOTA scan and specific blood investigations. Additionally, the patient might require a Gastroenterologist opinion, a service unavailable at J.J. Hospital. This unavailability of essential treatment at Sir J.J. Group of Hospitals serves as the primary basis for seeking interim medical bail for Accused No.1. It's noteworthy that the Enforcement Directorate in fact initiated the second opinion through

the Medical Board, which confirmed the illness of accused No.1 Naresh Goyal.

9. Undoubtedly, during the initial stages when accused No.1 was referred to C.M.O. Arthur Road Jail and Sir J.J. Hospital, no signs of sickness were diagnosed. Accused No.1 who never insisted his personal production before this Court, one day insisted the same and appeared in the Court. He stood before the Court pointing his health and made certain submissions, prompting this Court to acknowledge the necessity for a detailed examination of his health, considering his age and expressed frustrations. I am constrained to note that, without the Court's permission for various tests, the revelations about his current condition, Neuro Endocrine Tumor, would have remained undiscovered. The Court has already demonstrated deep concern for Accused No.1's health, age, and frustrations, granting appropriate relief that led to the identification of symptoms related to Neuro Endocrine Tumor. In response to the vigorous assertion by Ld. SPP Mr. Sunil Gonsalves that a final diagnosis is pending, it is crucial to note that initially, the Enforcement Directorate (ED) disagreed with the test reports and opinions from the accused No.1's private doctors. At the insistence of the ED, this Court then requested the Dean of Sir J.J. Group of Hospitals to form a Medical Board for an unbiased opinion on the reports. The Dean constituted a Medical Board consisting of four experts, including Professors, Associate Professors, and Senior Doctors in the General Medicine Department of Sir J.J. Hospital. This Board provided candid opinions on Cardiology, Orthopedics, General Medicine, and General Surgery, unequivocally stating the findings based on the reports of private doctors.

10. The Medical Board candidly examined the test reports from accused No.1's private doctors and unequivocally affirmed the diagnoses mentioned earlier, dismissing objections and contentions raised by Ld. SPP Mr. Sunil Gonsalves. Furthermore, the Medical Board acknowledged their inability to sustain the treatment of accused No.1 at Sir J.J. Group of Hospitals due to the lack of essential equipment and the specific tests needed for his condition as follows,

“Hence the medical Board Committee states that the sickness (Neuro Endocrine Tumor) of patient is ascertained based on reports provided to the committee and the proposed treatment for the same is not available in Sir J.J. Group of Hospitals.

Hence, the medical Board Committee states that the sickness (Neuro Endocrine Tumor) of patient is ascertained based on reports provided to the committee and the proposed treatment for the same is not available in Sir J.J. Group of Hospitals”.

This report makes it amply clear :

- i the Board has concluded their preliminary diagnoses of Neuro Endocrine Tumor,
- ii proposed tests and treatment for the same is not available in Sir. J.J. Group of Hospitals,
- iii Management plan for Neuro Endocrine Tumor will be decided only after DOTA scan & above mentioned blood investigations. For this patient might have to take a Gastroenterologist opinion, which is also not available in J.J. Hospital

Hence, the Enforcement Directorate (ED) cannot cast doubt on the forthright opinion provided by the Medical Board, which, it's worth noting, was essentially constituted at the insistence of the ED.

11. Previously, this Court granted permission for accused No.1 to be examined by his private doctors. Dr. Darius S. Soonawalla conducted an examination on 15.01.2024, and on 12.01.2024, Dr. Muffazal Lakdawala suggested certain tests, which were carried out at Sir H.N. Reliance Foundation Hospital and Research Centre. These tests confirmed the symptoms indicative of Neuro Endocrine Tumor, confirming malignancy. None of the private doctors or those constituting the Medical Board clearly stated the necessity and urgency of the proposed treatment, along with the consequences of not administering it within a specific time frame. The reports indicate that the diagnosed condition is at a very preliminary stage, and with proper tests and the correct line of treatment, it can be eradicated. The management plan for Neuro Endocrine Tumor, as per the reports, will be determined only after a DOTA scan and the specified blood investigations. The patient may need to seek a Gastroenterologist's opinion, a service not available at J.J. Hospital. In this manner, the Medical Board of Sir J.J. Group of Hospitals has provided crucial insights into the current state of accused No.1's health.

12. The Medical Literature on 'Neuroendocrine Tumor' available on various Internet websites suggests and summarizes that,

- (i) A GI tract NET often causes no symptoms in its early stages. This type of tumor is usually found by a surgeon during an unrelated surgery or on imaging (like a CT scan) for another condition.
- (ii) Many neuroendocrine tumors can be successfully treated with surgery and chemotherapy, especially if the tumor is localized and has not spread to the lymph nodes or other organs in the body. During surgery, a surgical oncologist will attempt to remove the entire tumor as well as a margin of tissue surrounding the tumor. Some patients may then undergo chemotherapy to ensure all cancer cells have been destroyed.

13. It is therefore clear that, undergoing various tests and hospitalization is inevitable considering that the age of accused No.1 is 74-75 year old. Such tests and proposed treatment is not available in Sir J.J. Group of Hospitals. Even if the suggestion given by Ld. SPP Mr. Sunil Gonsalves (that accused No.1 can be referred and treated in Government run hospital in Mumbai or Tata Memorial Cancer Hospital, Mumbai, which is strongly condemned by ld. Sr. Counsel Mr. Aabad Ponda, questioning as to who either ED or accused No.1 would decide which hospital he (A1) should be treated), in my opinion the suggestion of Ld. SPP Mr. Sunil Gonsalves for referring accused No.1 to Tata Memorial Cancer Hospital, Mumbai cannot be straight way thrown away. It is because the preliminary diagnoses of accused No.1 suggests Neuro Endocrine Tumor - Cancer. Prima-facie it appears that it is at a preliminary stage and not yet spread in entire body of accused No.1. Tata Memorial Cancer Hospital is one of the best hospitals in India for treating all Cancers and complication arising out of such Cancers. It has gained reputation and also equipped with all advance Cancer treating equipments with a team of leading experts in Cancer to treat all types of Cancers at the inception and even at advanced stage. This hospital (Tata) deals with only Cancer patients. Whereas all other private hospitals even if as per the choice of accused No.1 are allowed, those have certain limitations and in the eventuality of any ups and downs, Tata Hospital would be the best to deal with that situation. So, in my opinion whatever suggested by ld. SPP Mr. Sunil Gonsalves has to be considered in proper perspective rather than rejecting it outrightly. Of course, the Court cannot interfere in the wish and desire of the accused No.1. Therefore, I am of the opinion that accused No.1 needs hospitalization for further investigation and treatment.

14. The crucial question arises: should temporary bail be granted on such medical grounds? Currently, neither private doctors nor the Medical Board has asserted that this sickness is life-threatening. Moreover, the health condition of accused No.1 has not exhibited any alarming symptoms. There is a likelihood of positive recovery and complete eradication of the Neuro Endocrine Tumor with prompt and proper treatment for accused No.1. In this situation, I am of the opinion that the alleged sickness of accused No.1, which holds a strong hope of recovery, does not meet the qualifications under the First Proviso to Sec.45 (1) of the PML Act to warrant immediate interim bail.

WHY NO INTERIM BAIL?

15. Naresh Goyal served as one of the Directors and Chairman of JIL since its inception. Despite being designated as non-Executive, Goyal was a hands-on individual actively involved in the business, particularly in significant and critical matters. JIL, being a promoter-driven company, operated with the Chairman's close involvement, who was well-informed about strategically important aspects of the airline. Every decision, regardless of its scale, required approval from the Chairman. Therefore, matters concerning the securing and disbursing of loans were discussed with the Chairman before being presented to the board for deliberation and execution.

16. Furthermore, Naresh Goyal exerted substantial control over the decisions made by the company's board and was actively involved in its day-to-day operations. He played a crucial role in reviewing and providing observations on various critical aspects of the company, such as budget, annual revenue for the airlines, and profitability forecasts. Known for his aversion to change, Goyal exhibited an authoritative

demeanor, often disregarding the informed opinions of experts, despite paying them exorbitant fees. His management style involved micro-managing all decision-making processes at JIL, both within and outside of board meetings, resulting in routine overrides of decisions made by one or more members of the senior management team.

17. Naresh Goyal held positions as a director/shareholder in numerous foreign entities appointed as General Sales Agents (GSAs) globally, through which funds from JIL were systematically siphoned off. Approximately 50% of the total commission was paid to these entities. Despite the outdated practice of having a GSA in the home country for an airline, JIL continued this approach with JAPL serving as the GSA for India, where Naresh Goyal held a directorial role. JAPL, under Goyal's direction, received substantial amounts from JIL, diverting them into the personal accounts of Goyal family members through the execution of fraudulent agreements. Various meeting minutes also reveal Goyal's active involvement in steering negotiations on behalf of JIL for the purchase and leasing of aircraft.

18. The ECIR is grounded in the Forensic Audit Report (FAR), elucidating the entire modus operandi of money laundering through the creation of Proceeds of Crime (POC). Even the Enforcement Directorate (ED) conducted its own Forensic Audit, revealing the intricacies of the money laundering process. The GSA scheme, where agents booked tickets on commission for domestic and international flights, was outdated. Despite its obsolescence post-2005, the applicant (A1) persisted in employing it. The investigation uncovered that the continued use of GSA, even after its expiration, turned it into a conduit

or shell organization for money laundering. Despite the centralized concept introduced by India, rendering GSA unnecessary, the applicant (A1) persisted, diverting the POC generated through this conduit for personal gain. Payments, even with reduced staff, were falsely attributed to them. These instances exemplify the generation of POC as defined in Section 2(1)(u) of the Prevention of Money Laundering (PML) Act.

19. The Prosecution Complaint, accompanied by extensive materials, outlines four reasons for the loans turning into Non-Productive Assets (NPA): (i) diversion of funds obtained from various banks for malicious expenses, (ii) channeling funds for personal expenses of the Goyal family, (iii) irrational continuation of the GSA concept globally, and (iv) lending followed by subsequent loan write-offs. Numerous instances supporting these claims are cited in the Prosecution Complaint and its voluminous accompanying documents. **Even if rigors of stringent twin conditions under Sec.45(1) of the PML Act have no influence on its first Proviso, safety of further investigation which is underway as per Explanation (ii) to Sec.45(1) is a paramount consideration.** Naresh Goyal (A1), being an influential figure, poses a risk to the investigation's integrity if granted liberty under the guise of the first proviso to Sec.45(1). **It is crucial to clarify that the court's denial of interim bail is not a refusal of medical aid; rather, it is a measure to prevent potential abuse of the investigative process.** Acknowledging Goyal's diagnosis of Neuroendocrine Tumor at a preliminary stage, the court emphasizes the urgent need for treatment under skilled hands for a swift recovery. The primary consideration remains the eradication of the tumor, ensuring the prompt health

recovery of the applicant (A1). Hence, the court deems this case unsuitable for granting interim bail under the first proviso to Sec.45(1) of the PML Act, emphasizing the urgency for tumor eradication to prevent complications that may arise if interim bail is granted.

20. The offense charged against Accused No.1 is highly serious - an economic offense involving public funds from consortium banks. The ongoing ED investigation, as per Explanation (ii) to Sec.44(1) of the PML Act, adds to the gravity of the situation. While instances of allowing private hospitalization for other accused individuals may not directly impact this application, they cannot be disregarded. Past experiences have shown that such liberties were misused, severely hampering ongoing investigations by law enforcement agencies. In this case, the total Proceeds of Crime (POC) amount to a substantial Rs. 538.62 Crore, representing public funds from consortium banks, essentially the Nation's wealth. Given that the applicant (A1) is the main figure involved, as defined by Sec.2(1)(u) of the PML Act, the potential misuse of interim bail cannot be ignored. It's crucial to note that the applicant (A1) is a N.R.I. Despite arguments regarding the age of 74-75 years, the relevant facts and circumstances leading to the generation of proceeds of crime occurred when the accused was 65-66 years old. Therefore, the present age should not be exploited in seeking interim bail. Granting freedom based on the mentioned grounds poses a risk of misuse. Additionally, the current medical condition of the applicant (A1) doesn't justify interim bail. **Even if this application is rejected, it doesn't preclude the applicant (A1) from making a similar plea in the future under different circumstances.**

ISSUE OF INABILITY OF A1 TO SPEND FOR ESCORT ETC.

21. The applicant (A1) disagrees with hospitalization with an escort, asserting that his current condition precludes such an arrangement. The argument posits that the proposed hospitalization with an escort is impractical for the applicant, forming the basis for pressing the interim bail contention. Ld. Sr. Counsel Mr. Aabad Ponda, along with Ld. Counsel Mr. Ameet Naik, consistently emphasizes the applicant's inability to bear escort charges, asserting that private hospitalization is futile without interim bail. They draw attention to a similar illness affecting the applicant's wife, illustrating their vulnerability. I have meticulously examined this aspect.

22. I must highlight that all medical documents from private doctors, including Sir H.N. Reliance Foundation Hospital and Research Centre, unequivocally affirm that the accused can access services from such high-cost hospitals. Remarkably, the team of number of esteemed Ld. lawyers from Naik Naik and Company, led by Ld. Counsel Mr. Ameet Naik from the inception until now, has not asserted that they have been handling the matters of Accused No.1 as a charitable endeavor. **This is only to suggest and nothing more, that the applicant (A1) is not incapacitated to pay escort charges.** They remain steadfast in dismissing the suggestion from Ld. S.P.P. Mr. Sunil Gonsalves, bonafide suggesting Tata Memorial Cancer Hospital as the optimal choice for the applicant (A1). Ld. Sr. Counsel Mr. Aabad Ponda and Ld. Counsel Mr. Ameet Naik insist that the jail atmosphere is unsuitable post-chemotherapy or surgery. I have scrutinized this argument. Tata Hospital, renowned as one of the best cancer hospitals in India, provides comprehensive solutions addressing all concerns raised. The institution caters to patients of varying financial backgrounds, ensuring

post-chemotherapy care tailored to their strata. If the applicant (A1) indeed faces financial difficulties, he can access the range of services available at Tata Hospital. Hence, in my opinion while the suggestion by Ld. SPP Mr. Sunil Gonsalves should not be out-rightly dismissed, it warrants careful consideration from the proper perspectives. Ultimately, the decision lies with the applicant (A1). With this, following order is passed :-

ORDER

1. The application (Exh.16) for interim bail on medical grounds, as per the first Proviso to Sec. 45(1) of the PML Act, stands rejected. However, efficacious relief for the **forthwith hospitalization** of applicant Naresh Goyal (A1) is granted.
2. In the court's opinion, the applicant can be admitted to Tata Memorial Cancer Hospital, Mumbai, which is well-equipped with a team of senior doctors capable of treating all types of cancers. This arrangement is also deemed suitable for the present alleged financial situation of the applicant (A1), initially for two months, at his own expenses.
3. If the applicant (A1) is unwilling to accept the relief in clause (2) above, he is allowed to choose and undergo treatment and hospitalization at his own expense. This arrangement is permitted for an initial period of two months, with the liberty for the doctors to discharge him if they form such an opinion.
4. If the doctors discharge the applicant (A1) even before two months, stating that he (A1) can safely return to jail, they are at liberty. In that event, the applicant (A1) shall immediately resume jail.

5. The Doctors who will be treating the applicant (A1) shall submit periodic reports - twice in a month, without fail.
6. The Jail Superintendent of Arthur Road Jail, Mumbai, shall arrange adequate police staff, as necessary, for continuous vigilance (24x7) on the applicant (A1). The applicant (A1) shall deposit the associated charges with the relevant police authority well in advance.
7. ED is at liberty to depute their adequate Staff/Officers as per their requirement to keep the applicant under their vigilance 24 X 7, as permitted by the hospital and treating doctors.
8. During the period of hospitalization, the applicant (A1) can avail of home-cooked food as per the advice of the treating doctors.
9. The applicant (A1) is permitted to take legal assistance of his lawyer(s) subject to the permission of the treating doctors and in the presence of ED Officer.

Dt.: 29.02.2024



(M.G. Deshpande)
Designated as Special Court,
under the PML Act, 2002.

Signed on : 29.02.2024

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”	
29.02.2024 at 05.15 p.m. 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	29.02.2024
Judgment/order signed by P.O. on	29.02.2024
Judgment/order uploaded on	29.02.2024