GAHC010019012020

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : AB 229/2020

1:KISHORI BARUAH
W/PO LT. M.K. BARUAH
PERMANENT R/O CHANDMARI
MILANPUR
P.S. CHANDMARI
DIST. KAMRUP (M)
GUWAHATI
ASSAM

VERSUS

1:ENFORCEMENT DIRECTORATE
RAJGARH ROAD
BYLANE NO. 1
HOUSE NO. 20
GUWAHATI-781003
REP BY ASSTT. S.G.I.

Advocate for the Petitioner : MR. A M BORA
Advocate for the Respondent : ASSTT.S.G.I.

BEFORE
HONOURABLE MR. JUSTICE PARTHIVJYOTI SAIKIA

ORDER

Date : 07-02-2020

Heard Mr. A. M. Bora, learned counsel for the petitioner and Ms. A. Gayan, learned standing counsel for the Enforcement Directorate.

This is an application under Section 438 of the Cr.P.C., filed by Smti. Kishori

Baruah has sought for pre-arrest bail in connection with F.No.ECIR/04/2018/GWZO/PMLA/13, dated 06.01.2020.

This Court vide order dated 28.01.2020, has granted interim pre-arrest bail to the petitioner.

The petitioner herein has been summoned by the Enforcement Directorate and notice to that effect was issued. Now the petitioner apprehends that he might be arrested if he appears before the Enforcement Directorate.

Ms. Gayan, learned standing counsel for the Enforcement Directorate has submitted that a direction should be given to the petitioner for appearance before the Enforcement Directorate as and when called and if he failed to appear before the Enforcement Directorate, the Enforcement Directorate shall be at liberty to take appropriate action. Mr. Bora, learned counsel for the petitioner agreed to it.

After considering the submission made by both the learned counsel for the parties, the interim order dated 22.01.2020 passed by this Court is hereby made absolute by directing the petitioner to appear before the Enforcement Directorate, as and when called. This Court makes it clear that if the petitioner fails to appear before the Enforcement Directorate, the authority concerned shall be at liberty to take appropriate action against the petitioner as per law.

The anticipatory bail application is, accordingly, disposed of.

JUDGE

Comparing Assistant