

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-44967-2021 (O&M)
Date of decision: 17.12.2021

Manoj Kumar Chodha

... Petitioner

Vs.

The Assistant Director, Directorate of Enforcement, New Delhi

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vinod Ghai, Sr. Advocate with
Ms. Kanika Ahuja, Advocate
for the petitioner.

Mr. Vishal Gupta, Advocate
for the respondent.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail with issuance of a direction to the learned Special Judge, CBI-CUM-PMLA, Punjab, SAS Nagar, Mohali to release the petitioner on bail in event of his arrest in summoning order dated 17.09.2021 passed in COMA/2/2021 arising out of ECIR No.HQSTF/15/2020 dated 07.09.2020 registered by Enforcement Directorate, Delhi Zonal Office, New Delhi for an offence under Section 3 punishable under Section 4 of Prevention of Money Laundering Act, 2002 (for short "PMLA").

While granting interim bail to the petitioner, following order was

passed by this Court on 01.11.2021: -

“Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail with issuance of a direction to the learned Special Judge, CBI-CUM-PMLA, Punjab, SAS Nagar, Mohali to release the petitioner on bail in event of his arrest in summoning order dated 17.09.2021 passed in COMA/2/2021 arising out of ECIR No.HQSTF/15/2020 dated 07.09.2020 registered by Enforcement Directorate, Delhi Zonal Office, New Delhi for an offence under Section 3 punishable under Section 4 of Prevention of Money Laundering Act, 2002 (for short “PMLA”).

Learned Senior counsel submits that the petitioner was never arrested and he had fully co-operated during the course of the investigation on each and every date. He submits that by virtue of order dated 17.09.2021, Annexure P-1, the petitioner has been summoned for an offence under Section 3/4 of the PMLA. He submits that the petitioner will appear before the trial Court on 02.11.2021, the date fixed and file a petition seeking bail.

Notice of motion.

On asking of the Court, Mr. Vishal Gupta, Advocate, who has been served with an advance copy of the petition, accepts notice on behalf of respondent.

List on 30.11.2021.

Let the petitioner appear before the trial Court on 02.11.2021 and file a petition seeking grant of bail. In case he does so, the trial Court shall release him on interim bail till the decision of the bail petition...”

Learned senior counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has put in appearance before the Special Judge, CBI-cum-PMLA, Punjab, SAS Nagar, Mohali on 10.12.2021 and has

been released on bail. Copy of the order dated 10.12.2021 is taken on record as Mark 'A'.

Learned counsel for the respondent has not disputed the factual position.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 01.11.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

17.12.2021
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No