

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH**

**CRM-M-8184-2022
Date of decision: 06.04.2022**

Manoj Jain

...Petitioner

Versus

Central Bureau of Investigation

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vinod Ghai, Sr. Advocate with
Mr. Edward Augustine George Masih, Advocate &
Ms. Kanika Ahuja, Advocate
for the petitioner.

Mr. Sumeet Goel, Sr. Advocate with
Mr. Paramveer Dhull, Advocate
for the respondent-CBI.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.RCCHG2018A0009 dated 18.04.2018 registered under Sections 120-B, 420, 477(A) IPC and Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act, 1988 (Sections 406, 419, 467, 468, 471 IPC added later) at Police Station CBI, ACB, Chandigarh.

On 25.02.2022, the following order was passed:

“Learned senior counsel for the petitioner has argued that the petitioner was summoned to appear before the trial Court/Special Judicial Magistrate, CBI, S.A.S. Nagar, Mohali, and was directed to appear on 31.01.2022, either in person or through pleader. It is further submitted that the petitioner appeared through his pleader and has moved an application for dispensing the personal appearance.

Learned senior counsel for the petitioner has also

submitted that the trial Court while dismissing the application, simultaneously has issued the non-bailable warrants without giving him time to appear. It is lastly, submitted that even the application for recalling the non-bailable warrants has been declined vide order dated 11.02.2022 and therefore, the petitioner is apprehending the arrest though he intends to appear before the trial Court.

Notice of motion.

Mr. Sumeet Goel, Sr. Advocate, who is present in the Court through video conferencing, accepts notice on behalf of the respondent– CBI and seeks some time to file reply.

List again on 06.04.2022.

In the meantime, the petitioner is directed to surrender before the trial Court/Duty Magistrate within a period of 15 days from today and he will be released on interim bail, subject to his furnishing bail/surety bonds.”

Learned senior counsel for the petitioner submits that the petitioner, in pursuance to the order dated 25.02.202, has already appeared before the trial Court and has been released on interim bail.

Learned senior counsel, appearing for the respondent-CBI, has not disputed the factual position.

In view of the above, the present petition is allowed and order dated 25.02.202, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

06.04.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No