

**104 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-55780-2022
DECIDED ON: 8th DECEMBER, 2022**

PEEYUSH AGGARWAL

.....PETITIONER

VERSUS

SERIOUS FRAUD INVESTIGATION OFFICE

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Keshavam Chaudhri, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The present petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail in a criminal complaint No. 3 of 18.05.2019, CIS No. COMA/05/2019 CNR No. HRGR01-007022-2019, titled as “SFIO vs. Adarsh Build Estate etc.” under Sections 447 and 147 of the Companies Act, 2013 and Sections 120-B, 418 and 420 IPC pending before the Court of Session at Gurgram.

On 27.07.2022, before the trial Court, an application seeking exemption from personal appearance of the accused-petitioner was filed primarily on the ground that the accused-petitioner was suffering from eye viral and was bed ridden. Subsequently, the proclamation proceedings were deferred on account of the statement made by the counsel for the accused as well as his wife that accused-petitioner is willing to appear personally before this Court, within a period of one week.

Earlier, also one petition i.e. CRM-M-52846-2022 filed by the petitioner was dismissed as withdrawn with liberty to file a fresh one with

better particulars and accordingly, the present petition has come up for hearing.

On the other hand, Mr. Jagjot Singh Lalli, Deputy Solicitor General of India, appearing along-with Mr. Hari Kishan, Senior Prosecutor , State Fraud Investigation Office on advance notice submits that he has no objection in case the petitioner surrenders and moves an application for grant of regular bail before the learned trial Court.

This Court is sanguine of the fact that in the other connected petitions the interim protection has been granted in the light of the various orders passed by this Court as well as by the Apex Court. Since, in the present case the petitioner has absented himself willfully despite the undertaking given by his wife and his counsel before the trial Court.

To meet the ends of justice and keeping in view the orders passed in the cases of other co-accused in various petitions, which are still pending for final hearing, the petitioner is directed to surrender before the trial Court within a period of one week from today and apply for regular bail.

In case such an application is filed by the petitioner before the trial Court after his surrender, the same shall be considered and decided on the same date, in accordance with law.

Disposed off, accordingly.

8th DECEMBER, 2022
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(SANDEEP MOUDGIL)
JUDGE

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*