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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1754/2023**

PREETI JENA

..... Petitioner

Through: Mr. Ramesh Gupta, Senior Advocate
with Mr. Shailendra Singh, Advocate.

versus

CBI

..... Respondent

Through: Mr. Mridul Jain, Spl. PP with Ms.
Ruby Sharma, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

23.02.2024

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1. By way of the present application, Applicant seeks grant of anticipatory bail in FIR No.RC-219/2018(E)0008/2018 dated 02.05.2018 under Sections 120B/420 IPC read with Sections 13(2) and 13(1)(d) of the Prevention of Corruption Act, 1988 and substantive offences thereof, registered at PS: CBI/EO-1, New Delhi. Charge Sheet has been filed in which Sections 419/467/468/471 IPC were added.

2. On 06.09.2023, Court had granted interim protection to the Applicant against arrest subject to her joining investigation and informing the IO about her dates of travel from Dubai to India for the said purpose. It was also directed that Applicant will continue to appear before the IO, as and when summoned and provide all documents necessary for the purpose of investigation. To enable the Applicant to travel to India to join investigation,



LOC issued against her was suspended till further orders, with intimation to the Bureau of Immigration for the said purpose.

3. Reply has been filed on behalf of CBI. It is stated that Charge Sheet has been filed against 15 accused persons including the Applicant herein. Transactions in the present case involve M/s. PEC Limited, a Government of India Enterprise and M/s. Pisces Exim (India) Pvt. Ltd., a company incorporated by the Applicant and her husband, who is also an accused, pertaining to loan advances under 15 agreements allegedly executed between 25.11.2010 to 02.03.2012.

4. Updated status report has been filed on behalf of CBI pursuant to order dated 18.01.2024. It is stated that on 09.01.2024, Applicant joined investigation in the CBI Office and her statement was recorded, whereafter she left India without taking permission from this Court.

5. Mr. Ramesh Gupta, learned Senior Counsel appearing on behalf of the Applicant submits that Applicant had come to India from Dubai, where she resides, when summoned and joined investigation. Bail conditions imposed on the Applicant did not include taking permission of this Court before leaving India and therefore, no permission was sought. However, as and when Applicant is called for further investigation and/or appearing before the Trial Court during trial proceedings, she would come to India and her undertaking in this respect be accepted by the Court. It is prayed that to enable the Applicant to come to India for appearing before the Trial Court and/or any further investigation, LOC issued against her be suspended.

6. Learned counsel for the Respondent does not dispute that Applicant joined investigation on 09.01.2024 when called for the same. There are no allegations of tampering with any evidence or intimidating or threatening



any person associated with the present case. It is not the case of the Respondent that custodial interrogation of the Applicant is required.

7. Assurance and undertaking of the Applicant that as and when she is summoned by the Trial Court and/or called for any further investigation, Applicant will appear physically, is accepted and taken on record. Considering that Applicant joined investigation, when called for and there are no allegations of tampering with evidence as well as the stand of the CBI that at this stage custodial interrogation of the Applicant is not required, it is directed that in the event of arrest of the Applicant, she shall be released on bail, subject to furnishing a personal bond in the sum of Rs.1,00,000/- with one surety of the like amount to the satisfaction of the concerned Trial Court and further subject to the following conditions:-

- i. Applicant shall furnish her mobile number to the IO and keep the same active at all times;
- ii. She shall appear before the Trial Court and/or for any further investigation, as and when required and summoned for the same and abide by the undertaking given to the Court; and
- iii. She shall intimate her current residential address at Dubai to the IO and intimate any change in the same to the IO and the Trial Court by an affidavit.

8. By order dated 06.09.2023, Court had suspended the LOC issued against the Applicant until further orders. Admittedly, so far there is no violation of the conditions imposed by the Court on 06.09.2023. To enable the Applicant to travel to India during trial/any further investigation, LOC is suspended till further orders, with liberty to the Respondent to seek variation



of this order in case there is violation of any of the aforementioned conditions.

9. It is made clear that this Court has not expressed any opinion on the merits of the case.

10. Copy of this order shall be sent to the Bureau of Immigration by the IO, for information and necessary compliance.

JYOTI SINGH, J

FEBRUARY 23, 2024/hs/shivam