

**IN THE COURT OF BHAWNA JAIN
SPECIAL JUDGE, CBI COURT,
CHANDIGARH
UID NO.HR0169**

CNR No. CHCH01-000337-2024

CIS No.: PC 02 of 2024

IA No.:08 of 24.02.2026

Date of Order : 20.04.2026

Central Bureau of Investigation

versus

Swaranjeet Singh & others

FIR No.RC0052023A00006

Dated : 12.01.2023

Under Section : 120-B, 409, 420 IPC r/w section
7, 8 of Prevention of Corruption Act & 65 of I.T.
Act.

Police Station : CBI/ACB/Chandigarh

**Application under section 72 read with Section
482/492 BNSS 2023 praying for recall/cancellation
of the warrant of arrest and for allowing the
applicant-accused no.4 to continue on anticipatory
bail granted vide order dated 26.05.2024**

Argued by : Shri Vipal Jindal Advocate, counsel for the accused-
applicant no.4 (Preeti Bharat Gohel)

Shri Narender Singh Public Prosecutor for respondent/CBI
assisted by Holding IO Inspector Chann Singh

Shri Siddharth Pandit Advocate assisted by Shri
Charanpreet Singh Advocate for accused no.2 (Saurabh
Tyagi)

ORDER

This is to dispose off application IA no.8/2026 moved by
accused-applicant Preeti Bharat Gohel seeking recalling/cancellation of

warrant of arrest issued against her by the court vide order dated 11.02.2026 and allow her to continue on anticipatory bail granted to her vide order dated 26.05.2024.

2. Briefly stated, the instant case had been registered against the accused-persons under section 120-B read with sections 409, 420 of IPC and 7 & 8 of the Prevention Corruption Act, 1988 (as amended in 2018). The charge sheet was submitted by the CBI on 27.10.2023. The case was pending for arguments on the application IA no.5 of 2025 (filed by accused-applicant under section 307 Cr.P.C.) on 11.02.2026, when she misused the concession of bail and her bail was cancelled and warrant of arrest was issued against her for next date of hearing, i.e., 16.03.2026. Thereafter, the instant application was filed on behalf of the accused-applicant on 24.02.2026 seeking recalling of warrant of arrest.

3. Arguments advanced by Sh. Vipul Jindal Advocate, learned counsel for the applicant-accused and Sh.Narender Singh, Learned Public Prosecutor for the respondent/CBI heard. An opportunity of hearing was also given to accused no.2 as certain allegations have been levelled against him by the accused-applicant by virtue of instant application.

4. It is urged by learned counsel for applicant that she had been granted concession of anticipatory bail vide order dated 26.05.2024 and thereafter, she moved an application IA no.5 of 2025 under section 307 Cr.P.C. Learned counsel for the accused-applicant referred to

Annexure A-5 (discharge summary of the accused-applicant) and it is urged that her medical condition was not sound and she was diagnosed with Ulcerative Colitis vide her report dated 24.04.2023. It is urged that though the applicant had travelled abroad without the permission of the court, she had taken the then DSP Rajiv Gulati, 1st IO of this case into confidence before leaving India as she was in emergent need to travel abroad to settle her son. Moreover, she had been facing threats to her life from her co-accused in India. CBI was aware that the applicant was willing to become approver. The moment she came to know about the order dated 11.02.2026, vide which her bail was cancelled, she returned to India on 22.02.2026 and since then, she has been residing in Orissa. It is urged that the CBI never filed any application seeking cancellation of bail of accused-applicant and so far as the application of co-accused no.2 Saurabh Tyagi is concerned, he had no locus standi to file the application seeking cancellation of the bail of the accused-applicant. The CBI has not even filed the reply to the application of the applicant, suggesting thereby that the prosecution is not willing to oppose the application. The applicant is ready to surrender before the court as and when directed and to abide by the directions given by the court. The mistake has been committed by the applicant under the bonafide impression. Her co-accused no.2 does not want the applicant to come to the court to pursue with her application IA no.5 of 2025 and that is why, he has opposed her application by filing reply thereto, despite the fact that he has no locus

standi to oppose the instant application of the applicant. It is urged that no purpose would be served by sending the applicant behind the bars. With these submissions, a prayer is made made to recall the order dated 11.02.2026 passed by this Court and to allow the accused-applicant to continue on anticipatory bail granted vide order dated 26.05.2024 while relying upon **Davinder Kumar Vs. State of Punjab, Special Leave to Appeal (Crl.) No(s).2476/2015** decided by Hon'ble Supreme Court on 01.04.2015, **Kinderbir Singh @ Sunny Dayal Vs. State of Punjab, CRM-M-6405** decided by Hon'ble Punjab & haryana High Court on 23.02.2018, **Jaswinder Singh @ Rinku Vs. State of Punjab CRM-M-53792** of 2022 decided by Hon'ble Punjab & Haryana High Court on 21.11.2022, **Kiran Jadav @ Kiran Vs. State of West Bengal, Special Leave to Appeal (Crl.) No(s).1087/2023** decided by Hon'ble Supreme Court of India decided on 20.09.2023, **Mukhtiar Kaur Vs. State of Punjab, Special Leave to Appeal (Crl.) No(s).5635/2025** decided by Hon'ble Supreme Court of India decided on 16.07.2025 and **Roji @ Dimpi Vs. The State of Punjab, Special Leave to Appeal (Crl.) No(s).8976/2023** decided by Hon'ble Supreme Court of India decided on 13.09.2023.

5. To the contrary, learned Public Prosecutor for the CBI has stated that the then IO DSP Rajiv Gulati has already passed away and as told by the Holding IO and the HOB, ACB, CBI, Chandigarh, the CBI was never taken into confidence by the accused-applicant before leaving

India without permission of Court. However, it is conceded that the approver application of the applicant is pending and the prosecution has no objection, if the said application no. IA 05 of 2025 of the applicant is allowed.

6. On the other hand, learned counsel for the accused no.2 has refuted the allegations levelled by the applicant against accused no.2 in the application regarding any threat to her on the part of the accused no.2 and it is urged that there was no threat to the accused-applicant on the part of the accused no.2. With these submissions, a prayer is made to decline the application.

7. It is not disputed that the applicant had been admitted to the concession of anticipatory bail by this court vide order dated 26.05.2024. However, it was one of the conditions of the bail that she would not leave India without prior permission of the court. As such, the accused-applicant was under a bounden duty to follow the direction. Had she been under any emergent need to visit abroad to settle her son as urged by her learned counsel during the course of arguments, none had stopped the applicant to visit abroad while seeking prior permission of the court. However, she never bothered for the same and bypassed the aforesaid condition imposed by the court as per her own convenience.

8. So far as the contention of learned counsel for the applicant that the then DSP Rajiv Gulati (first IO of the case) had been taken into confidence by the applicant prior to leaving India is concerned, the

above said excuse of the applicant is not acceptable to the court, for once the charge sheet had been submitted against the accused by the prosecution/CBI, the IO had no authority to allow the applicant to visit abroad without prior permission of the court of law.

9. Merely due to the reason that the application filed by the applicant under section 307 Cr.P.C. (IA no.5 of 2025) had been filed prior to visiting abroad by the applicant, would not absolve the condition imposed upon her vide order dated 26.05.2024, vide which she was admitted to concession of anticipatory bail. Till her above said application was allowed, if any, she does not enjoy the status of approver.

10. A perusal of the order dated 11.02.2026 reveals that the bail of the accused-applicant had never been cancelled by the court at the instance of the application filed by her co-accused, rather the same had been cancelled as the accused-applicant had failed to appear before the Court and her counsel, who was earlier representing her on previous dates of hearing to the date fixed 11.02.2026, had appeared before the court and submitted that he had no information about accused no.4 Preeti Gohel and the court could proceed against her as per law. It was only thereafter that bail of the accused had been cancelled.

11. The notion of the learned counsel for the applicant that the bail has been cancelled at the instance of the application moved by her co-accused, is wrongly placed.

12. It would not be out of place to mention here that since 11.08.2025 onwards, three successive applications seeking exemption from her personal appearance before the court had been filed on 11.08.2025, 05.09.2025 and 18.11.2025, but in neither of the applications, she came forward with true facts and in the application dated 11.08.2025, it was pleaded on her behalf that she was unable to appear before the court due to urgent work in Gujarat, whereas, in the application dated 05.09.2025, it was pleaded on her behalf that her husband had suffered a serious cardiac ailment and had been discharged, who was in need of strict medical care and the accused-applicant no.4 being his wife was primary care giver and her presence in home was necessary. The home of the accused-applicant is in Gujarat and by virtue of the said application, it was projected by her that she had been living in India.

13. Still thereafter, in the next application dated 18.11.2025 filed by her, it was pleaded on her behalf that she was unable to appear before the court that day.

14. The entire above said conduct of the applicant is quite misleading and it is suggested that she had been trying to play with the court of law as per her own convenience. In view of her misconduct, no prior notice before cancelling her bail was required to be given by her and order dated 11.02.2026 passed by the court does not call for any interference. In view of the above said conduct of the applicant

throughout, the facts of the case law relied upon by the applicant are not attracted to the case in hand.

15. So far as the medical discharge of the application (Annexure A-5) is concerned, the same is dated 24.04.2023, whereas, it is a conceded fact that she jumped the concession of bail in the year 2026. It was not nearby the above said discharge card dated 24.04.2023 of the accused-applicant that her bail was cancelled which was cancelled vide order dated 11.02.2026.

16. Merely on the alleged threats at the instance of accused no.2, if any, was not a ground for the accused-applicant to leave India without prior permission of the court and she could always bring the true facts either to the notice of the court or to the notice of HOB, ACB, CBI, who could have pursued further with the aspect of her security as per law.

17. Once, the accused-applicant had misused the concession of bail, no formal application was required to be given by the CBI for cancellation of her bail and it was the sole prerogative of the court to decide the said aspect.

18. It is very easy to place entire burden upon the then DSP Rajiv Gulati, first IO of the case, as he has already passed away and now there is none to defend him. The Holding IO has appeared before the court and stated that he is Holding IO since February, 2026 and there

was no such communication of the accused-applicant with him regarding her visit/staying abroad in February, 2026.

19. In view of the above scenario, the court is of the considered view that it would set a wrong precedent, if the order dated 11.02.2026 passed against accused-applicant no.4 is recalled and she is allowed to continue the status of the bail earlier granted to her vide order dated 26.05.2024. Since her own conduct is not equity based, she cannot claim any kind of leniency from the court at this stage.

15. Consequently, the application IA no.8 of 2026 filed by the accused-applicant is dismissed.

**Pronounced
20.04.2026**

**Bhawna Jain,
Special Judge, CBI Court,
Chandigarh
UID No.HR0169**

Sanjeev Dogra,
Stenographer Grade - I