

(2023) 03 P&H CK 0002

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 11074 Of 2023

Shalin Gaurav @ Gaurav Shalin

APPELLANT

Vs

Central Bureau Of Investigation

RESPONDENT

Date of Decision : 03-03-2023

Acts Referred:

Citation : (2023) 03 P&H CK 0002

Hon'ble Judges : Anoop Chitkara, J

Bench : Single Bench

Advocate : Siddhant Pandit, Nittin Kumar Sharma, Shubhra Singh

Final Decision : Allowed

Judgement

Anoop Chitkara, J

The limited prayer for which the peoner has come up before this Court to seek exemption from personal appearance before the trial Court on the ground that he is resident of Ranchi, Jharkhand and he is unable to attend trial Court on each and every date because distance is so long and he has to spend a lot of money on every date.

The nature of the order this Court proposes to pass, no notice is required to be issued to the respondent-CBI because no prejudice is likely to cause to anybody.

At this stage, counsel for the peoner submits that he would not claim any prejudice in case witnesses are examined in his absence or proceeding recorded in his counsel presence.

Given the statement of counsel for the peoner, on this ground alone, the present peon is allowed. The peoner is exempted from personal appearance before the trial Court and is permitted to appear through counsel on all dates except at the time of recording of statement under Section 313 CrPC, for his evidence in defence if he wants to appear and at the time of pronouncement of final judgment. It is clarified that the peoner-accused shall not claim any

prejudice in this regard in any Court. It is further clarified that the peon shall not take any adjournment before the trial Court except of exceptional circumstances.

Pending applications, if any, stand disposed of.