

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

Date of Order: 30th August, 2010

+ CrI. R.P. No.769/2006 & CrI. M.A. No. 12167/2006

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30.08.2010

BANGARU LAXMAN

..... Petitioner

Through: Mr. Manish Mohan and
Mr. Atul Kr. Advocates

Versus

STATE (THROUGH CBI)

..... Respondents

Through: Mr. Harish Gulati, Advocate for CBI

JUSTICE SHIV NARAYAN DHINGRA

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether judgment should be reported in Digest?

(ORAL)

1. By this petition under Section 397/201 of Cr. P.C., the petitioner has assailed an order dated 17th July, 2006, passed by the Special Judge granting pardon to respondent No. 2 namely T. Satyamurthy on an application made by the CBI during trial. The contention raised by the petitioner is that learned Special Judge passed a detailed order at the time of granting pardon to the petitioner and the order reflects mind of the Judge and the same Judge should not hold trial because the trial against the petitioner would be prejudiced.

2. This petition was filed in the year 2006. The Special Judge who passed the order on application of CBI later got elevated to High Court. There is no question of her holding trial.

3. This petition is a gross misuse of judicial process and the petition is liable to be dismissed. It is dismissed accordingly.

August 30, 2010
acm

SHIV NARAYAN DHINGRA, J.