

\$~10

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 2343/2016

SHAMBHU PRASAD SINGH

..... Petitioner

Through: Mr. S. S. Sisodia, Mr. Amit Singh
Rathore, Advocates for petitioner

versus

CBI

..... Respondent

Through: Mr. Sanjeev Bhandari, Special Public
Prosecutor for CBI

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

%

17.06.2016

By this petition filed under Section 482 of Cr. P.C. read with Article 227 of the Constitution of India, the petitioner is seeking setting aside of the impugned order dated 07.06.2016 vide which the permission of the petitioner to go abroad has been declined by the Trial Court.

Learned counsel for the petitioner submitted that some of the visits to abroad are necessary in this case.

After some arguments, the learned counsel for the petitioner submits that the purpose of filing the present petition would be served if the liberty is granted to the petitioner to file an appropriate application before the trial court and the trial court be directed to consider his application sympathetically.

In the facts and circumstances of the present case, in the considered opinion of this court it is the sole prerogative of the trial court either to grant or refuse the request of the petitioner to go abroad while looking circumstances and the stage of trial of the case.

The present petition is dismissed as not pressed with liberty to the petitioner to move a fresh application before the court below, which shall consider the application sympathetically in accordance with the circumstances to grant permission and the fact that the permission is not hit the trial of the case. Trial court is expected to consider the application of the petitioner sympathetically while taking liberal approach coupled with the facts and circumstances of the case and adjustability so that trial is not hit.

With aforesaid directions the present petition is disposed of.

Dasti.

P.S.TEJI, J
(VACATION JUDGE)

JUNE 17, 2016
pkb