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

+ CRL.REV.P. 744/2015

NIKHIL BHARDWAJ

..... Petitioner

Through

Ms.Preiti Srivastava, Adv. with
Mr.Augustine Chatterjee, Adv.

versus

STATE

..... Respondent

Through

Mr. M.P. Singh, APP for the State.
Insp.Pawan Sharma PS Nihal Vihar.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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06.01.2016

The petitioner has challenged the order dated 03.11.2015 whereby his prayer for being permitted by the Trial Court to go to Canada to pursue a course in Creative Advertising has been rejected by the Trial Court.

The petitioner is the brother-in-law of the deceased, who has been charged for the offence under Section 304-B/302 and other sections of the IPC and is being tried along with other accused persons. The Trial Court has rejected such a prayer on the ground that out of 29 cited witnesses, 25 witnesses have been examined by now and the trial is almost at conclusion.

The Court below has also considered the fact that immediately after the examination of the prosecution witnesses, the petitioner would be required to be present before the Trial Court for his statement to be recorded under Section 313 of the Cr.P.C.

Apart from these, since the petitioner is facing prosecution in the case

of murder and the course for which the petitioner wants to go to Canada would end sometimes in December 2017, it would not be proper to permit him to travel beyond the territorial bounds of this country.

This Court does not find any fault with the order dated 03.11.2015.

Accordingly, the petition is dismissed.

It is however expected that the Trial Court shall expedite the conclusion of the trial.

ASHUTOSH KUMAR, J

JANUARY 06, 2016

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