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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 5044/2019**

ARJUN SINGH

..... Petitioner

Through: Mr. Yogesh Verma & Mr.
Bhartosh Sharma, Advocates

versus

CENTRAL BUREAU OF INVESTIGATION..... Respondent

Through: Mr. Anupam S. Sharma, SPP
with Mr. Prakash Airan,
Advocate

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

% **01.10.2019**

CRL.M.A.37465/2019 (for exemption)

Allowed, subject to all just exceptions. Application stands disposed of.

CRL.M.C.5044/2019 & CRL.M.A.37464/2019

1. Issue notice. Notice is accepted by the learned SPP.
2. This is a petition under Section 482 of the Code of Criminal Procedure, 1973 (Cr.PC) for quashing the impugned order dated 20.8.2019 passed by the learned Special Judge (PC Act), CBI, whereby the application of the petitioner for recording his statement under Section 313 of the Cr. PC afresh has been dismissed.
3. Learned counsel for the petitioner submitted that after the cross-examination of three witnesses by the defence, some

fresh material has come on the record, regarding which the petitioner intends to explain and/or clarify in his further statement under Section 313 of the Cr. PC recorded earlier by the Trial Court and submitted that the Trial Court may be directed to ask the following questions from him:

- (i) Do you want to say anything else.
- (ii) Do you want to lead defence evidence.

4. Learned SPP submitted that the petitioner is habitual of filing frivolous petitions before this Court and is delaying the matter, however, in the interest of justice and just to cut short the delay, the petitioner may be given one opportunity to get his further statement recorded under Section 313 of the Cr. PC and the Trial Court may be directed to ask the aforesaid two questions from him.

5. Accordingly, the order dated 20.8.2019 is set aside and the Trial Court is directed, in the interest of justice, to put up further again the two questions, i.e., (i) Do you want to say anything else and (ii) Do you want to lead defence evidence, subject to the condition that no adjournment, on any ground whatsoever, shall be granted by the Trial Court to the petitioner on the next date of hearing, i.e., 4.10.2019 for the aforesaid purpose.

7. However, so far as question of returning the costs of Rs.5,000/- is concerned, I do not find any flaw or infirmity in the order dated 20.8.2019. Accordingly, the prayer for the

return of costs of Rs.5,000/- is rejected.

8. The petition is disposed of in the above terms. Pending application is also disposed of.

Dasti.

CHANDER SHEKHAR, J

OCTOBER 01, 2019

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