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

+ CRL.M.C. 2589/2019 & CRL.M.A. 10380/2019

ARUN AGGARWAL & ORS. Petitioners

Through: Mr. Yogesh Verma and Mr.
Bhavtosh Sharma, Advs.

versus

CENTRAL BUREAU OF INVESTIGATION Respondent

Through: Mr. Anupam S. Sharma, SPP
with Mr. Prakash Airan, Mr.
Eric Karan Sharma, Mr. Pankaj
Chaudhary and Mr. Parikshit
Sharma, Advs. with Insp.
Diwakar

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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03.07.2019

1. Learned counsel for the respondent submitted that as per the instructions, he has no objection in case two questions are allowed to be asked by the Trial Court under Section 313 of the Code of Criminal Procedure, 1973 (Cr.P.C.):

- (i) Whether the petitioners want to say anything further?
- (ii) Whether the petitioners intend to lead evidence in their defence?

2. Learned counsel for the petitioners submitted that the petitioners may be given an opportunity to lead the defence evidence.

3. Learned counsel for the respondent submitted that let the

petitioners reply to the aforesaid two questions to be asked by the Trial Court under Section 313 Cr.P.C. and the Trial Court decide whether an opportunity for the defence evidence should be given or not.

4. Learned counsel for the petitioners submitted that in view of the statement of the learned counsel for the respondent, the impugned order dated 4.5.2019 may be set aside. Accordingly, the impugned order is set aside with a direction to the Trial Court to ask the aforesaid additional two questions in the statement under Section 313 Cr.P.C. and pass an appropriate order whether to allow the petitioners herein to lead the defence evidence or not, as per law.

5. Petition is disposed of in the above terms. Pending application also stands disposed of.

CHANDER SHEKHAR, J

JULY 03, 2019/rk