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

+ CRL.REV.P. 179/2020

ASHWANI SHARMA

..... Petitioner

Through Mr. Sushil Kumar Gupta, Mr. Sushil
Satrawala, Mr. Atishay Prasad, Advocates

versus

CENTRAL BUREAU OF INVESTIGATION

..... Respondent

Through Mr. Ripu DamanBhardwaj, SPP for CBI.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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27.02.2020

CRL.M.A.4356/2020 (Exemption)

Exemption allowed subject to just exceptions..

The application stands disposed of.

CRL.REV.P. 179/2020 & CRL.M.A. 4357/2020 (Stay)

1. The petitioner is aggrieved by the order dated 21.01.2020 by virtue of which the learned trial court has allowed the respondent to place on record the "Reasons for Opinion" given by Sh. P. Venugopala Rao, who has been examined as PW-62. The impugned order further records that the defence counsel had sought an adjournment stating that the documents are bulky documents and they require sometime to go through the same. It is submitted by the counsel for the petitioner that the learned trial court has not followed proper procedure in conducting the trial. It is further submitted by the

counsel for the petitioner that as far as the petitioner is concerned he has cross examined the witness on the belief that there was no “Reasons for Opinion” on record and now allowing the production of this document would highly prejudice the case of the petitioner.

2. It is submitted by the learned counsel for the CBI/respondent that this document is required for fair and just trial of the case.

3. In any case, the petitioner would get a chance to cross-examine the witness on the “Reasons for Opinion” given by PW-62. The evidence is documentary and the witness can be cross examined on the said documents is “Reasons for Opinion”. Moreover the counsel for the petitioner has himself sought time to inspect the said document.

4. I find no infirmity with the impugned order. The petition is accordingly disposed of.

RAJNISH BHATNAGAR, J

FEBRUARY 27, 2020
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