

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

127)

CRM-M-7162 of 2021 (O&M)

Date of Decision: 15.02.2021

Sarwan Kumar

...Petitioner

Versus

The Director, Central Bureau of Investigation,
Chandigarh, U.T.

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Ms. Kulwant Kuar, Advocate, for the petitioner.

AMOL RATTAN SINGH, J. (Oral)

This petition has been filed seeking a direction to the learned Special Judge, CBI Court, Chandigarh, to insert the actually spoken name (Prem Singh Bisht) by removing (the allegedly) wrongly dictated and written name 'Partap Singh Bisht', recorded in the cross-examination of PW-15, Anuj Kumar, in the case titled as **CBI v. Sarwan Kumar**, FIR no.RCCHG2014A00010, dated 14.07.2014, registered at CBI/ACB/CHG, Chandigarh (for the alleged commission of an offence punishable under Section 7 of the Prevention of Corruption Act).

Learned counsel for the petitioner submits that despite an oral request having been made to the learned trial court to correct the name as given by PW-15 to 'Partap Singh Bisht' instead of 'Prem Singh Bisht', the observation of that court was to the effect that in fact the witness had categorically stated in his deposition that "Prem Singh Bisht was not accompanied with Partap Singh Bisht" and he had also categorically stated that "R.C. Khatri had handed over a 'Sony digital voice recorder' to Partap Singh Bisht" and consequently that court had recorded that R.C. Khatri had

handed over the 'Sony digital voice recorder' to Partap Singh Bisht.

Obviously, any observation of the trial court as reproduced in the present petition, is only an oral observation and in any case with there stated to be no electronic recording of the deposition of the said witness, this court is not in a position to make any comment on it at all.

Consequently, this petition is disposed of giving liberty to the petitioner to move an appropriate application before the trial court, upon which that court would pass an appropriate order.

15.02.2021
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: No