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Date of Decision:February 21, 2023

.....Petitioner(s)

.....Respondent(s)

Present: Mr.Rupender Singh Rana, Advocate for the petitioner.

Mr. Nitin Kumar Sharma, Advocate for
Ms. Shubhra Singh, Standing Counsel for CBI.

The limited prayer for which the petitioners have come up before this Court to seek exemption from personal appearance before the trial Court on the ground that they are resident of Andhra Pradesh and they are unable to attend trial Court on each and every date because distance is so long and they have to spend a lot of money on every date.

The nature of the order this Court proposes to pass, no notice is required to be issued to the respondent-CBI because no prejudice is likely to cause to anybody.

At this stage, counsel for the petitioners submits that he would not claim any prejudice in case witnesses are examined in their absence or proceeding recorded in their counsel presence.

Given the statement of counsel for the petitioners, on this ground alone, the present petition is allowed. The petitioners are exempted from personal appearance before the trial Court and is permitted to appear through counsel on all dates except at the time of recording of statement under Section 313 CrPC, for their evidence in defence if they wants to appear and at the time of pronouncement of final judgment. It is clarified that the petitioners-accused shall not claim any prejudice in this regard in any Court. It is further clarified that the petitioners shall not take any adjournment before the trial Court except of exceptional circumstances.

Pending applications, if any, stand disposed of.

February 21, 2023

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