

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-15133-2023
Date of Decision: March 27, 2023

M/s Kavish Diamond Jewellery Pvt. Ltd.
through its Director Madhu VermaPetitioner(s)

Vs.

Central Bureau of InvestigationRespondent(s)

CORAM:HON'BLE MR.JUSTICE ANOOP CHITKARA

Present: Mr.Gursharan Singh, Advocate for the petitioner.
Ms. Shubhra Singh, Standing Counsel for CBI.

ANOOP CHITKARA J. (ORAL)

The limited prayer for which the petitioner-company has come up before this Court through its Director-Madhu Verma, to seek exemption from personal appearance before the trial Court on the ground that she is resident of Indore, Madhya Pradesh and she is unable to attend trial Court on each and every date because distance is so long and she has to spend a lot of money on every date.

Counsel for the petitioner submits that company is being represented by director, she has to come to Court on each and every date to attend the proceeding.

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 petitioner submits that he would not claim any prejudice in case witnesses are examined in her absence or proceeding recorded in her counsel presence.

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

Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

March 27, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No