

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

114

CRM-M-20236-2023
Date of Decision:April 24, 2023

Galli SubhadraPetitioner(s)

Vs.

Central Bureau of InvestigationRespondent(s)

CORAM:HON'BLE MR.JUSTICE ANOOP CHITKARA

Present: Ms. Sumanjit Kaur, Advocate for the petitioner.

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

ANOOP CHITKARA J. (ORAL)

FIR No.	Dated	Police Station	Sections
RC 0024	10.11.2012	CBI, SPE, Chandigarh	120-B r/w 419, 420, 465, 467, 468, 471 and 511 IPC

The limited prayer for which the petitioner has come up before this Court to seek exemption from personal appearance before the trial Court on the ground that she is resident of Andhra 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.

2. The nature of the order this Court proposes to pass, no response is required from the respondent-CBI because no prejudice is likely to cause to anybody.

3. At this stage, counsel for the petitioner submits that she would not claim any prejudice in case witnesses are examined in his absence or proceeding recorded in his counsel presence.

4. 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 when his presence is required for identification; at the time of framing of charges; recording of statement under Section 313 CrPC, if stage arrives; under Section 315 Cr.PC. 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

April 24, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No