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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 672/2023**

NEERAJ VASHIST (BHARDWAJ)Petitioner
Through: Mr. Sandeep Kumar, Advocate.

versus

THE STATE & ANR.Respondents
Through: Mr. Nawal Kishore Jha, APP for State
with SI Vijay Pal Singh, P.S. CWC,
NanakPura.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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02.08.2024

1. By way of the present petition, the petitioner is aggrieved by the order dated 25.04.2022 vide which petitioner's request to be examined through video conferencing was not acceded to by the Trial Court.
2. Though respondent No. 2 was served however, he has not appeared.
3. A perusal of the record would show that Trial Court has not taken into consideration the Video Conferencing Rules as notified on 26.10.2021 by this Court, wherein Rule 6 permits the procedure for video conferencing however, the same is subject to the Trial Court ascertaining that the application is not filed to impede a fair trial or to delay the proceedings. The case of the petitioner is that he continues to live in Germany. Accordingly, the present matter is remanded back to the Trial Court to consider the petitioner's request afresh in line with Video Conferencing Rules as well as the decision of the Supreme Court in The State of Maharashtra & P.C Singh v. Praful. B. Desai & Ors., reported as **(2003) 4 SCC 601** as relied upon by



the counsel for the petitioner.

4. Petition is disposed of in the above terms.
5. Copy of the order be communicated to the concerned Trial Court.

MANOJ KUMAR OHRI, J

AUGUST 2, 2024

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