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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 407/2015
GAURAV GARG

..... Petitioner

Through Mr.Abhijat, Adv. with Mr.Tejashwar
Sharma & Ms.Sujata Bagadhi, Advs.

versus

STATE (NCT OF DELHI) & ANR

..... Respondent

Through Mr.Raghuvinder Varma, APP.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **19.08.2015**

Crl.M.A.11974/2015

Exemption granted subject to all just exceptions.

Application stands disposed of.

Crl.M.A.11973/2015

The applicant seeks modification/deletion of paragraph no.3 of the order dated 11.08.2015. Paragraph 3 of the order dated 11.08.2015 reads as under:

“Mr.Abhijat, learned advocate appearing for the petitioner submits that after the framing of the charges, not a single witness has been examined.”

It is submitted by Mr.Abhijat that the statement regarding not a single witness having been examined is factually incorrect. In fact, two of the witnesses who are formal in nature have already been examined.

Mr.Abhijat submits that such statement was made at the bar on the basis of

instructions provided by the representative of the petitioner who was sitting in the court room. He submits that there was a communication gap and the statement was given on the presumption that no material witness has yet been examined.

Mr.Abhijat, learned advocate seeks apology for not having reconfirmed such statement made by the representatives of his client.

In any view of the matter, considering the fact that only two witnesses have been examined who are formal in nature, the sentence in the order dated 11.8.2015 quoted above is deleted.

The order dated 11.8.2015 would be read along with the order dated 19.08.2015.

ASHUTOSH KUMAR, J

AUGUST 19, 2015

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