

Uday S. Jagtap

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 4692 OF 2022

Kulbir Raghubir Singh

.. Petitioner

Vs.

Central Bureau of Investigation & Anr.

.. Respondents

....

Mr. Samay Pawar i/b Ms. S.S. Kondekar for the petitioner

Mr. P.H. Gaikwad, APP for the respondent – State

Mr. Kuldeep S. Patil for the respondent no.1

....

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 14th FEBRUARY, 2025.

P.C.

1. Mr. Pawar, holding for Mr. Satyavrat Joshi informs that Mr. Joshi is unwell and, therefore, seeks an adjournment.

2. On 7th June, 2023, this Court (Coram: P.D. Naik, J.) exempted the petitioner from appearing before the trial Court on 8th June, 2023 only. Thereafter, the same Judge did not say anything whether the exemption from appearance was continued or otherwise. The order dated 7th June, 2023 is extracted below:-

“1. Learned Advocate Mr. Dedhia submits that Mr. Venegavkar has instructions to appear for Respondent

no.1. Copy of petition has not been served upon him. Advocate for Petitioner shall serve copy of petition upon Advocate for Respondent no.1. Stand over to 27th June 2023.

2. Petitioner is exempted from appearing before the Trial Court tomorrow i.e. 8th June 2023.”

3. It appears that thereafter the so called interim relief, if any, was continued from time to time.

4. It is surprising as to how learned Counsel for the applicant prayed for continuation of the interim relief. Even the learned Counsel appearing for the CBI did not bring to the notice of any earlier benches that the order dated 7th June, 2023 was restricted only for 8th June, 2023 and it was, by no stretch of imagination, can be said to be a permanent exemption from appearance.

5. As such, there is no question of any interim relief having been granted by this Court on 7th June, 2023.

6. List on 13th March, 2025.

(PRITHVIRAJ K. CHAVAN, J.)