



**IN THE HIGH COURT OF HIMACHAL PRADESH
SHIMLA**

Cr.MMO No.184 of 2025

Date of Decision: 07.04.2025

C.K. Sharma

...Petitioner

Versus

CBI. & Ors.

.....Respondents

Coram:

The Hon'ble Mr. Justice Virender Singh, Judge.

Whether approved for reporting?¹

For the Petitioner : Mr. Gaurav Sharma, Advocate.

For the Respondents : Mr. Janesh Mahajan, Advocate,
for respondent No.1.

Virender Singh, Judge (Oral)

The petitioner has filed the present petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the B.N.S.S.') for setting aside the order dated 21.01.2025, passed by the learned Chief Judicial Magistrate, Shimla, H.P. (hereinafter referred to as 'the trial Court'), in Case No.90014/2011, titled as CBI versus Suraj Kant and others.

2. By way of the application, under Section 313 of Cr.P.C. moved before the learned trial Court, a prayer has been made to record the statement of accused-petitioner-C.K. Sharma, through video conferencing. The said application has

¹ Whether reporters of Local Papers may be allowed to see the judgment?



been moved on the ground that he is an old aged person and suffering from various ailments, as such, it is not possible for him to come to the Court. Hence, a prayer has been made that he is bed ridden and his statement may be recorded through video conferencing or submitting the questionnaire.

3. The said application has been dismissed by the learned trial Court, vide order dated 21.01.2025.

4. Aggrieved from the said order, the present petition has been preferred.

5. After hearing learned counsel appearing for the parties, this Court is of the view that the statement of the petitioner, under Section 313 of Cr.P.C., can be recorded through video conferencing facility. As such, the petitioner is directed to appear before the Court of learned District and Sessions Judge, Bikaner, Rajasthan, on the date, fixed by the learned trial Court, for recording the statement of the petitioner, under Section 313 of Cr.P.C.

6. The learned trial Court to send the copy of this order to the learned District and Sessions Judge, Bikaner, Rajasthan, while intimating the date fixed for recording the statement of the petitioner-accused, under Section 313 of Cr.P.C.



7. It is further directed that the petitioner-accused be identified by his counsel, during the course of recording the statement under Section 313 of Cr.P.C. through video conferencing.

8. With these observations petition is disposed of accordingly.

(Virender Singh)
Judge

April 07, 2025
(subhash)