

ITEM NO.45

COURT NO.2

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2824/2015

(Arising out of impugned final judgment and order dated 19/02/2015 in SBCRM No. 12125/2014 passed by the High Court Of Rajasthan At Jaipur)

BABU LAL NAGAR

Petitioner(s)

VERSUS

CENTRAL BUREAU OF INVESTIGATION

Respondent(s)

(with appln. (s) for exemption from filing O.T. and permission to file additional documents and interim relief and office report)

Date : 20/07/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE T.S. THAKUR
HON'BLE MR. JUSTICE V. GOPALA GOWDA
HON'BLE MRS. JUSTICE R. BANUMATHI

For Petitioner(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Abhishek Gupta, Adv.

For Respondent(s) Mr. P.S.Patwalia, ASG,
Ms. Vibha Dutta Makhija, Sr. Adv.
Mr. Rajiv Nanda, Adv.
Mr. T.A.Khan, Adv.
Mr. B. V. Balaram Das, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Mr. P.S.Patwalia, learned ASG appearing for the respondent-CBI submits on instructions that the prosecution has already examined 15 witnesses so far and that out of the remaining witnesses cited in the charge sheet, it does not propose to examine

more than four witnesses, all of whom happen to be police officers who have handled the investigation of the case at some stage or other. He further points out that out of four witnesses mentioned above, one of the Investigating Officers from the State police who has already retired has been examined in chief and is currently under cross examination which was delayed on account of certain applications made by the petitioner. As regards remaining three officers, one of whom happens to be the Investigating Officer from the CBI besides Rekha Sangwan who recorded the statement of the prosecutrix and the Inspector who registered the initial FIR only have to be examined which process can be concluded within a period of two weeks from today. He further states on instructions that record summoned by the Trial Court shall be produced before it on the date fixed.

Mr.Kapil Sibal, learned counsel for the petitioner submits that although there was a direction by the High Court for an expeditious disposal of the trial, the same has for one reason or the other been delayed. He submits that the petitioner was not in any way responsible for delay in the completion of the prosecution case. Be that as it may since Mr Patwalia has on instructions submitted that only four witnesses remain to be examined, we see no reason why that process cannot be completed within a period of four weeks from today.

In the circumstances, we adjourned this matter by four weeks with a direction to the Trial Court to take up the case on a day

today basis if necessary and complete the examination of the remaining witnesses by the next date of hearing. In case for any reason that process is not completed, the trial Court shall submit a report indicating the reason for the delay.

List on 20.08.2015.

(Shashi Sareen)
Court Master

(Veena Khera)
Court Master