

# Paras Ram Vishnoi vs The Director, Central Bureau Of ... on 22 February, 2021

**Bench: Sanjay Kishan Kaul, Hemant Gupta**

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ITEM NO.30

Court 9 (Video Conferencing)

SECTION

## S U P R E M E C O U R T O F I N D I A RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.)

No(s). 36

(Arising out of impugned final judgment and order dated 20-07-2020 in SBCRMBA No. 10290/2019 passed by the High Court Of Judicature For Rajasthan At Jodhpur)

PARAS RAM VISHNOI

Petitioner

VERSUS

THE DIRECTOR, CENTRAL BUREAU OF INVESTIGATION

Respondent

IA No. 97746/2020 - EXEMPTION  
IA No. 82634/2020 - EXEMPTION  
IA No. 82633/2020 -  
DOCUMENTS/FACTS/ANNEXURES  
IA No. 97745/2020 -  
DOCUMENTS/FACTS/ANNEXURES)

FROM FILING O.T.  
FROM FILING O.T.  
PERMISSION TO

FILE A

PERMISSION TO

FILE A

Date : 22-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s)

Mr. Mahesh Jethmalani, Sr. Adv.  
Mr. Ajit Sharma, AOR  
Mr. Aditya Singh, Adv.  
Ms. Siya Chaudhary, Adv.  
Mr. Sanjay Bishnoi, Adv.  
Mr. Hemant Nahta, Adv.

For Respondent(s)

Mr. S.V. Raju, ASG  
Ms. Sairica Raju, Adv.  
Mr. B.K. Satija, Adv.  
Mr. Arvind Kumar Sharma, AOR

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

Applications for exemption from filing official translation and 18:05:51 IST Reason: permission to file additional documents/facts/annexures are allowed.

We have heard learned counsel for parties for some time. It is undisputed that the prosecution has completed recording of evidence and recording of 313 Cr.P.C. statements has commenced. Learned senior counsel for the petitioner submits that though his statement is not recorded, he has instructions to state that there is no question of his producing any defence witnesses but it will be for each of the accused to take their own call in this behalf.

Learned Additional Solicitor General also sought to raise technical plea arising from the fact that the dependant of the victim has not been arrayed in the present proceedings as is mandatory in terms of Section 15A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 [SC & ST Act] dealing with the rights of victims and witnesses under Chapter IVA. In this behalf, our attention has also been invited to Clause 2(bb) which defines a dependent and the definition of a victim under Section 2 (ec) of the said Act. In this behalf, learned senior counsel for the petitioner contends that if look to the definition of victim, the fact is that there is no charge framed under the SC & ST Act qua the petitioner though the position may be different for a different set of accused.

In this conspectus of the arguments and what has been stated before us, suffice to say we would like to have the position before the trial Court post recording of 313 Cr.P.C. statement. We are told that the next date fixed before the trial Court is of 24.02.2021. We would call upon the trial Court to record statements of all the accused on a day to day basis, as far as possible, using even video conferencing. The trial Court will furnish a report to us before the next date by which time we would expect the recording of the statements under 313 Cr.P.C. statement to be completed and a finality on the issue whether any defence witness is sought to be examined.

List on 12.04.2021.

(ASHA SUNDRIYAL)  
ASTT. REGISTRAR - cum - PS

(POONAM VAID)  
COURT MASTER (NSH)