IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(Cr.) No. 302 of 2023

Rahul Gandhi ..... … Petitioner

Versus

The State of Jharkhand & Anr. ..... … Respondents.

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Kaushik Sarkhel, Advocate.
For the State : Mr. M.K. Roy, G.A.-I.
: Mr. Chandan Tiwari, A.C. to G.A.-I.

03/ 04.07.2023 Mr. Sarkhel, learned counsel appearing for the petitioner submits that the petitioner is facing trial under Section 500 of the Indian Penal Code. He submits that after disposal of Cr.M.P. No. 152 of 2020, the petitioner has been called upon to appear before the learned court. He further submits that the petitioner has filed a petition under Section 205 Cr.P.C. for dispensing with his personal appearance, however, the same was rejected. He further submits that he has instruction that the petitioner is ready to give the undertaking that he will not hide his identity and he will not dispute if the witnesses are being examined in his absence and in presence of his lawyer and he will be represented through lawyer in his absence.

2. Notice upon the respondent No. 2.

3. Mr. Sarvendra Kumar, learned counsel waives notice upon respondent No. 2.

4. In view of acceptance of notice on behalf of respondent No. 2 by Mr. Sarvendra Kumar, learned counsel, there is no need of filing the requisite.

5. Mr. Sarkhel will serve a copy of the writ petition upon Mr. Kumar by tomorrow.

6. Let this matter appear on 16.08.2023.

7. No coercive steps shall be taken against the petitioner, in connection with M.P./M.L.A. Case No. 17 of 2021 (arising out of Complaint Case No. 1993 of 2019), pending in the court of learned Judicial Magistrate, 1st Class, Ranchi till the next date of listing.

8. In the meantime, Mr. Sarvendra Kumar, learned counsel will file the *vakalatnama* on behalf of respondent No. 2 and if so advised, may file counter affidavit.

(Sanjay Kumar Dwivedi, J.)

Amitesh/-