



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Misc. Appli No. 195/2025

State Of Rajasthan, Through Pp

-----Petitioner

Versus

Vikram Singh Indroi S/o Chug Singh, Aged About 41 Years, R/o
Indoti, P.s. Ramsara , Barmer

-----Respondent



For Applicant : Mr. Deepak Choudhary, GA cum AAG

HON'BLE MR. JUSTICE FARJAND ALI

Order

27/03/2025

1. The matter comes up on an application No. 195/2025 moved on behalf of the State of Rajasthan. It is submitted that an amendment under Section 273 of the Cr.P.C. has been made in the State of Rajasthan and, after receiving the assent of Hon'ble the President of India, the same has been notified in the official Gazette. Therefore, necessary corrections may be made in paragraph no. 5 of the order dated 07.03.2025.
2. Upon perusal of the document attached with the application, it is evident that the amendment to Section 273 of the Cr.P.C. has been duly notified. While passing the order, this Court had referred to the latest bare act of 2024 available in this High Court but it only mentions two State Amendments, namely Gujarat and Jharkhand and, as a matter of caution, also conducted research on the official website of the Government of Rajasthan, Law and



Legal Affairs Department. However, the amendment was not found on the said website at that time, which led this Court to issue the directions mentioned in the order. Subsequently, upon filing of the present application, it has been shown to this Court that the amendment has been published on the website of the Law (Legislative Drafting) Department and the amendment has now been verified.

3. In view of the above, this Court makes the following correction in the order dated 07.03.2025 and paragraph no. 5 shall be read as follows:

“For a better understanding, the relevant part of notification dated January 15, 2019 of Law (Legislative Drafting) Department (Group-II) No. F. 2 (43) Vidhi/2/2017 is being reproduced herein below:-

“4. Amendment of section 273, Central Act No. 2 of 1974.- In section 273 of the principal Act, after the existing expression “shall be taken in the presence” and before the existing expression “of the accused”, the expression, “whether physically or through the medium of audio-video electronic means,” shall be inserted.”

From bare perusal of the amendment made through notification, it is evident that the State of Rajasthan has made a State amendment in which the medium of audio-video electronic means has been inserted, so in cases where the accused is in judicial custody and his personal presence is not mandatory, the proceedings may continue in the presence of his counsel. Furthermore, in cases where the accused’s presence is deemed



necessary, the jail authorities shall ensure the accused's availability through video conferencing to prevent the wastage of judicial time and the proceedings can be completed effectively."

4. Paragraph No.6 shall be omitted from the order dated 07.03.2025 where the direction has been given to the State government to consider making a suitable amendment in the CrPC as it has already been made by the notification dated 15.01.2019.

5. Accordingly, the misc. application No. 195/2025 is allowed and this order shall be treated as part and parcel of the order dated 07.03.2025.

(FARJAND ALI),J

16-Mamta/-