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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 8240/2025 & CRL.M.A. 34374/2025,
CRL.M.A. 34375/2025, CRL.M.A. 34376/2025

RAHUL AGGARWAL

.....Petitioner

Through: Ms. Tanisha Verma, Adv.
with the petitioner in
person.

versus

CENTRAL BUREAU OF INVESTIGATION

(CB1)

.....Respondent

Through: Mr. Rajesh Kumar, SPP,
CBI with Mr. Changez
Khan, Adv.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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19.11.2025

1. By the present petition, the petitioner seeks following prayers :

a) Set aside the impugned order dated 30.10.2025 passed by Ms. Vijeta Singh Rawat, Ld. Special Judge (PC Act) (CBI)-17, Rouse Avenue Courts, New Delhi, in RC No. DAI/2016-A-0021, bearing case no. CBI/153/2019 titled as "CBI Vs. Rahul Aggarwal & Ors."

b) Allow the petitioner's application under Section 311 Cr.P.C. thereby recalling PW-37 Ms. Lavang Lata for cross-examination;

c) Quash the direction to deposit costs of ₹ 10,000/- imposed by the Ld. Trial Court; and

d) Pass such other or further orders as may be deemed fit in the interests of justice.



2. The petitioner essentially challenges the order dated 30.10.2025, passed by the learned Special Judge, thereby dismissing the application filed by the petitioner under Section 311 of the Code of Criminal Procedure, 1973 ('CrPC'), whereby, the petitioner had sought re-examination of PW-37.

3. The learned Special Judge noting that PW-37 had already been examined and discharged long back on 10.11.2022 dismissed the petitioner's prayer for re-examination of PW-37.

4. The learned counsel for the petitioner submits that PW-37 was not cross-examined at all by learned counsel for the petitioner on 10.11.2022. She submits that the learned counsel for the petitioner was not available on that day, for which an adjournment was sought.

5. She submits that there has been an inadvertent delay on part of the petitioner for not seeking re-examination of PW-37 immediately after 10.11.2022, for which the petitioner is also willing to adequately compensate the witness for the inconvenience.

6. It is pointed out that prosecution evidence has still not completed and no prejudice would be caused to the prosecution if one last opportunity is granted to the petitioner to cross-examine PW-37.

7. On being pointedly asked, it is informed that 20 prosecution witnesses still remain to be examined.

8. The record also indicates that PW-37 is a Sr. Scientific Assistant (Documents), CFSL, who had deposed in regard to the alleged signatures of the petitioner. Therefore, her cross-



examination cannot be said to be an empty formality.

9. Though the petitioner has not been vigilant, however, in the opinion of this Court, the petitioner ought to be granted one more opportunity for examination of PW-37 subject to payment of cost.

10. Undisputedly, inconvenience is caused to the witnesses on being repeatedly called for examination. Therefore, the inconvenience caused to PW-37 also needs to be compensated.

11. In view of the above, the impugned order dated 30.10.2025 is set aside and the learned Trial Court is directed to summon PW-37 again for the purpose of cross-examination by the petitioner and for the said purpose, only one date may be fixed.

12. The petitioner is directed to pay a cost of ₹20,000/- to PW-37 for the inconvenience caused.

13. The petitioner is further directed to pay a cost of ₹20,000/- to the Delhi State Legal Services Authority.

14. The learned Trial Court is directed not to give unwarranted adjournment on the request of the petitioner.

15. The present petition is allowed in aforesaid terms. Pending applications also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 19, 2025

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