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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 3069/2016**

RAMESH PRATAP SINGH Petitioner

Through Mr.Gunjan Kumar, Advocate.

versus

MAHESH GUPTA Respondent

Through

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

O R D E R

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29.08.2016

Crl.M.A. 13230/2016 (Exemption)

Application is allowed subject to just exceptions.

Crl.M.C. 3069/2016 & Crl.M.A. 13229/2016 (Stay)

Arguments heard.

The present petition has been filed by the petitioner against the order dated 23.07.2016 passed by the Court below vide which the application moved by the petitioner under Section 311 Cr.P.C. was dismissed.

The grievance of the petitioner is that the cross-examination of the complainant was necessary for just decision of the case and the Trial Court has not considered this aspect while dismissing the application under Section 311 Cr.P.C.

Perusal of record shows that the complainant was duly cross-examined on behalf of the petitioner/accused. It is matter of record

that the evidence of the complainant already stands closed and even the statement of the accused under Section 281 Cr.P.C. read with Section 313 Cr.P.C. has also been recorded. Apparently, sufficient opportunity was granted to the petitioner/accused to cross-examine the complainant which he duly availed.

In view of the above mentioned facts and circumstances, this Court does not find any illegality or infirmity in the order under challenge passed by the Trial Court.

Consequently, the present petition is dismissed.

Application CrI.M.A. 13229/2016 also disposed of.

P.S.TEJI, J

AUGUST 29, 2016
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