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

+ CRL.M.C. 2570/2015 & Crl.M.A. 9142/2015

M/S SUNBLOSSUM FLORALS LIMITED & ORS Petitioner

Through Mr.Sanjeev Narula & Ms.Shubhi
Sharma, Advs.

versus

NATIONAL HORTICULTURE BOARD Respondent

Through Mr.Arun Kumar, Adv.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

% **18.01.2016**

Arguments heard.

The present petition has been filed by the petitioners under Section 482 Cr.P.C. for quashing of order dated 09.04.2015 passed by the learned Additional Sessions Judge, Saket, New Delhi in a revision petition and order dated 29.10.2014 passed by the learned Metropolitan Magistrate and for a direction to the effect that evidence to be recorded in CC No.286/1/14 be read in CC No.293/1/14.

Counsel for the petitioner has referred to the order 10.03.2015 passed by this Court in Crl.M.C. 675/2015 to the effect that in one of the connected matters, the petition was allowed and this Court

allowed the cross-examination of petitioner's witness *Siddhartha Mukherjee*, subject to cost of Rs.50,000/-.

Case of the petitioner is that the affidavit of Sidharth Kumar Mukherji is already on record and same may be treated as defence evidence and that the petitioners have only one witness to examine. Now the matter is fixed before the Court below on 05.02.2016.

Consequently, the petitioners are allowed to the extent that the affidavit already filed by the petitioner No.2-Sidharth Kumar Mukherji shall be taken on record and the witness shall be submitted to the respondent for cross-examination on the same date, subject to cost of Rs.50,000/- to be paid on the next date of hearing to the respondent before the Court below. Copy of affidavit of petitioner no.2 placed in CC No.286/1/14 be placed in CC No.293/1/14.

The present petition is disposed of accordingly.

The application Crl.M.a. 9142/2015 is also disposed of.

P.S.TEJI, J

JANUARY 18, 2016
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