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

+ CRL.M.C. 960/2017 & CRL.M.A.4001/2017

SHANKAR Petitioner

Through: Mr.T.N.Saxena, Adv. with
Mr.H.C.Kharbanda, Adv.

versus

STATE & ORS Respondents

Through: Mr.Raghuvinder Varma, APP for
State
Mr.Dhan Mohan, Adv. with Ms.Tanu
B Mishra and Mr.Sarthak Maggon,
Advs. for R-2.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **27.03.2017**

This is a petition under Section 482 Cr.P.C for modifying/waiving of cost imposed vide order dated 01.09.2015 passed by the Court of learned ASJ-01, New Delhi District, Patiala House Courts, New Delhi in revision petition No.15/2015.

Counsel for the petitioner has submitted that the Court below has given an opportunity to cross-examine DW-1 subject to payment of cost of Rs.10,000/-. Counsel for the petitioner has further submitted that the petitioner despite his best effort could not arrange Rs.10,000/- as he is a labour and submits that the cost of Rs.10,000/- be reduced.

Counsel for respondents have vehemently opposed the contention of learned counsel for the petitioner.

Since the petitioner is showing his inability to pay the cost, to meet the ends of justice and for the purpose of fair trial, it would be appropriate to reduce the cost from Rs.10,000/- to Rs.5,000/-. The impugned order dated 01.09.2015 is modified only to the extent of reduction of cost. The cost of Rs.5,000/- be paid in terms of impugned order dated 01.09.2015 before the Court below on the date fixed.

In the aforesaid terms, the present petition is disposed of. All pending application(s) (if any) also stand disposed of.

Copy of this order be given *dasti* to the parties.

One copy of the order be sent to the concerned Court below.

I.S.MEHTA, J

MARCH 27, 2017/radhika