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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1216/2017
SANDEEP @ PANDIT

..... Petitioner

Through: Mr.Anupam S.Sharma, Mr.Ankit
Dhawan and Ms.Aditi Rath,
Advocates.

versus

STATE & ORS.

..... Respondents

Through: Mr.Kewal Singh Ahuja, APP for State
with Insp. Satish Kumar, SHO, P.S.
Model Town and SI Puneet Kr., P.S.
Bawana, Delhi.

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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23.03.2017

Crl.M.A.No.4985/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 1216/2017 and Crl.M.A.No.4984/2017 (stay)

This is a petition under Section 482 Cr.P.C. filed on behalf of the petitioner for setting aside the order dated 07.03.2017 passed by the Court of learned Addl. Sessions Judge, Rohini Courts, Delhi whereby the application under Section 311 Cr.P.C moved on behalf of the petitioner seeking recalling of witnesses was dismissed by the Court.

Notice. Learned APP for the State accepts notice.

Arguments heard and perused the record.

Bare perusal of the record shows that PWs 2 & 3 namely, Satpal and

Roshan Lal respectively are required to be cross-examined for the effective disposal of the case, but the cross-examination of the said witnesses could not be completed on the dates fixed before the Trial Court for want of counsel for the accused.

Since the petitioner is facing trial in a heinous offence under Section 302 IPC, to meet the ends of justice and for fairness of trial, one more opportunity is granted to the petitioner to cross-examine PW-2 & PW-3 on the dates fixed before the Trial Court. Parties are directed to appear before the Court below on 1st April, 2017 and 3rd April, 2017. The petitioner shall conclude the cross-examination of the said witnesses on these two dates and no further opportunity on any ground shall be granted to the petitioner to complete the cross-examination.

The present petition is allowed and stands disposed of in the above terms.

Copy of this order be given *dasti*, as prayed.

I.S.MEHTA, J

MARCH 23, 2017
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