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

+ CRL.M.C. 1978/2017 & CRL.M.A.8126/2017, 13046/2017

MUKUL ENTERPRISES Petitioner
Through: Mr.Vibhor Vardhan, Adv.

versus

STATE OF NCT OF DELHI & ORS Respondents
Through: Mr.Izhar Ahmad, APP for State
Mr.Jaskaran Singh, Adv. for R-2

CORAM:
HON'BLE MR. JUSTICE I.S.MEHTA

ORDER
% **21.08.2017**

By way of the present petition, the petitioner assails the impugned order dated 28.10.2016 passed by the learned Metropolitan Magistrate, South-East District, Saket Court, New Delhi whereby the Court below closed the opportunity to cross examine the complainant (respondent No.2 herein).

Counsel for the petitioner has submitted that the matter before the Trial Court is fixed on 22.08.2017 and the petitioner would cross-examine the complainant (respondent No.2 herein) tomorrow itself i.e. on 22.08.2017 and he will not take any further adjournment. Learned counsel for the respondent No.2 submits that he has no objection if the present petition is allowed subject to the condition that the petitioner shall cross-examine the respondent No.2 tomorrow itself i.e. on 22.08.2017 without seeking any adjournment.

In view of the submissions made by learned counsel for the parties, the present petition is allowed. Consequently, the impugned order dated 28.10.2016 is hereby set aside. Both the parties are directed to appear before the Trial Court on the next date i.e. on 22.08.2017 and the petitioner shall cross-examine the respondent No.2 on 22.08.2017.

The present petition is allowed and disposed of accordingly. All pending application(s) (if any) also stand disposed of.

The date already fixed 22.09.2017 stands cancelled.

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

I.S.MEHTA, J

AUGUST 21, 2017/sr