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

+ CRL.M.C. 2863/2017

P K SHARMA

..... Petitioner

Through: Mr.Asim Naeem, Adv.

versus

STATE NCT OF DELHI & ANR

..... Respondents

Through: Mr.Kamal Kr. Ghei, APP for State
Mr.Ashish Aggarwal, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

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26.07.2017

Crl. M.A. 11879/2017

Exemption granted, subject to all just exceptions.

Application stands disposed of.

Crl. M.C. 2863/2017 & Crl. M.A. 11880/2017

Learned counsel for the petitioner submits that the case below is at the stage of defence evidence. He further submits that the petitioner would not take further opportunity and would not move any application for examination of any other defence witness. He further submits that the only witnesses left to be examined are for the purposes of proving of documents from the Ministry of Agriculture and Ministry of Industry & Development.

Learned counsel for the respondent No.2 opposes the petition and submits that the petitioner is so careless and that he is in the habit of moving application under Section 311 Cr.P.C. and there would not be any ending of

moving of such applications. He further submits that the application moved by the petitioner is without any merit and that the petitioner is intentionally doing so just to delay the proceedings. He further submits that the documents are not relevant and infact relate to some other company.

Heard.

Perused.

What is emerging here is that the petitioner wants only the exhibition of the relevant documents. In these circumstances, I allow the present petition and set aside the impugned order dated 03.07.2017 passed by the Court below and the Court below is directed to summon the witnesses for the purposes of proving of the documents from the Ministry of Agriculture and Ministry of Industry & Development. The petitioner shall not be given any further opportunity to examine any other witness except stated above.

The present petition and the accompanying application are disposed of accordingly.

Copy of this order be given dasti to the counsel for the parties.

A copy of this order be also sent to the concerned Trial Court for compliance.

I.S.MEHTA, J

JULY 26, 2017/km