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

+ CRL.M.C. 3955/2017

SIDDHARTHA RAY

..... Petitioner

Through: Ms.Rebecca John Sr. Adv. with
Mr. Harish Bora, Adv.

versus

PRASAR BHARTI

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

% **22.09.2017**

CRL.M.A.15945/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 3955/2017 and Crl.M.A.No.15944/2017 (stay)

This is a petition under Section 482 Cr.P.C. read with Article 227 of the Constitution of India for setting aside the order dated 07.09.2017 passed by the Metropolitan Magistrate, Patiala House Courts, New Delhi in CC No.21596/16 titled *Prasar Bhati V. Stracon India Pvt. Ltd. & Ors.* and the order dated 18.09.2017 passed by the Special Judge, CBI, Patiala House Courts, New Delhi dismissing the Revision No.418/2017 titled as *Siddhartha Ray v. Prasar Bharti*.

Learned senior counsel appearing for the petitioner has submitted that the Court below while passing the impugned order, went wrong while holding that the arbitral award and the cheques in question are part of the

same transaction. Learned senior counsel further submits that factually it is a contentious issue between the parties and the petitioner is willing to cross-examine the witnesses.

Looking into the above facts and circumstances, the present petition is disposed of with the observation that since the documents and the arbitral award are matter of contentious issue, the Trial Court shall conduct the proceedings as per law and allow the petitioner to cross-examine the witnesses without being influenced by the arbitral award and all consequential proceedings arising out of the same.

The present revision petition is disposed of accordingly.

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

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

I.S.MEHTA, J

SEPTEMBER 22, 2017

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