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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4213/2017
MOHD HAROON

..... Petitioner

Through: Mr.U.A.Khan and Mr.Shahrukh
Khan, Advocates.

versus

STATE (NCT OF DELHI)

..... Respondent

Through: Mr.Hirein Sharma, APP for State with
ASI Jaiveer Singh, P.S. Khajuri Khas,
Delhi.

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

ORDER

% **16.10.2017**

Crl.M.A. No.16900/2017 (Exemption)

Exemption granted, subject to all just exceptions.

Application stands disposed of.

CRL.M.C. 4213/2017

Learned counsel for the petitioner has submitted that the petitioner wants to cross-examine the witnesses, namely, PW-4 Dr.Midhat Siddiqui, PW5 Dr.Manik Tikoo, PW-8 HC Man Singh and PW-14 W/SI Monika (IO) on the next date of hearing fixed before the Trial Court as the FSL report was not filed at the time of filing the charge sheet under Section 173 Cr.P.C.

Learned APP for the State accepts notice and submits that this course of action will delay the proceedings. However, the witnesses could be allowed to be cross-examined only on one date.

Heard.

In view of the submissions made by learned counsel for the parties, since FSL report was not accompanied with the chargesheet, the prayer is allowed and the impugned order dated 25.09.2017 is set aside with the direction to get the cross-examination of the aforesaid witnesses concluded on the next date of hearing, i.e. 28th November, 2017. However, if the witnesses are not available, the petitioner be given opportunity to cross-examine them on the next date of hearing once, subject to availability of date.

The present petition is disposed of accordingly.

I.S.MEHTA, J

OCTOBER 16, 2017

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