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

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Judgment delivered on: 01.02.2018

+ CRL.M.C. 416/2018

SANJAY KUMAR JUTSHI@BUNTI

..... Petitioner

Through :

versus

THE STATE (NCT OF DELHI)

..... Respondent

Through :

Advocates who appeared in this case:

For the Petitioner : Mr Bankim K.Kulshrestha and
Mr V.S.Nirmal, Advocates.

For the Respondents : Mr Mukesh Kumar, Addl. PP
for the State.
ACP Rajender Bhatia, PS V.Vihar.
ACP Rajender Bakshi.

**CORAM:-
HON'BLE MR JUSTICE SANJEEV SACHDEVA**

JUDGMENT

01.02.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl. M.A.1600/2018(exemption)

Allowed, subject to all just exceptions.

CRL.M.C. 416/2018& Crl. M.A. 1601/2018(stay)

1. The The petitioner is aggrieved by the order dated 06.01.2018, whereby the objection of the counsel for the petitioner/Defence, to the objection raised by the Public Prosecutor with regard to the nature of questions being put, has been rejected.

2. Learned counsel for the petitioner contends that at the time of cross-examination of the witness, there is repeated interference by the Public Prosecutor, whereby the entire thought-process is disturbed, and the question is not permitted to be completed.

3. In the impugned order the Trial Court has noticed as under:-

“.....At this stage, learned counsel states that when he is cross-examining the witness, learned APP shall not speak in between in his cross-examination. The objection of the defence counsel is over ruled as the learned Prosecutor has a right to object to nature of questions put to the witness.

4. It is observed that after this objection of counsel for defence was overruled, the Trial Court has proceeded to record further cross-examination in question and answer form.

5. In my view, in case question-answer form method is followed by the Trial Court, in the facts and circumstances of the case, it shall set at rest any apprehension that the defence counsel may have with regard to him not being permitted to complete his questions before any objection vis a vis the same is raised.

6. Since the said course has been followed by the learned judge after the objection was raised, as is noticed in the impugned order, no interference is called for in the impugned order.

7. The petition is accordingly disposed of.

8. Order *Dasti* under signatures of the Court Master.

FEBRUARY 1, 2018

'rs'

SANJEEV SACHDEVA, J



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