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

+ **CRL.M.C. 2108/2013**

ROMA SINGH PUNIA

..... Petitioner

Through: Ms. Shakun Chhabra, Advocate

versus

VIVEK KUMAR

..... Respondent

Through: Mr. H.S. Arora with Mr. Ritesh Kr.
Thakur, Advocates

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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21.02.2018

1. Petitioner impugns order dated 04.02.2013 whereby the evidence of the petitioner/complainant to lead pre-charge evidence has been closed and also impugns order dated 18.03.2013 whereby the complaint of the petitioner has been dismissed for non-prosecution.

2. The contention of the petitioner is that the petitioner was not in the country on the said date when the complaint was dismissed for non-prosecution. In support of the said submission photocopy of her passport has been placed on record. Further, it is contended that the counsel engaged to represent the petitioner did not appear before the court. A complaint was also filed with the Bar Council of Delhi against the counsel. Copy of the same has been produced on record.

3. For the above referred reason, I am of the view that in the

interest of justice one opportunity should be granted to the petitioner to lead pre-charge evidence subject to terms. Accordingly, the order dated 04.02.2013 and 10.03.2013 are recalled subject to petitioner paying costs of Rs.25,000/-. The petitioner shall be given one opportunity to produce her entire pre-charge evidence.

4. List the matter before the trial court on 07.03.2018 for fixing a date for recording the pre-charge evidence of the petitioner. Petition is accordingly disposed of in the above terms.

5. Order *Dasti* under the signature of the Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 21, 2018

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