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

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Judgment delivered on: 11.05.2018

+ **CRL.M.C. 2522/2018**

R N GUPTA TECHNICAL EDUCATIONAL SOCIETY &
ORS Petitioners

versus

INTEC CAPITL LTF Respondent

+ **CRL.M.C. 2534/2018**

DR. R.N.GUPTA TECHNICAL EDUCATIONAL SOCIETY
& ORS. Petitioners

versus

INTEC COPITAL LTD. Respondent

+ **CRL.M.C. 2535/2018**

DR. R.N.GUPTA TECHNICAL EDUCATIONAL SOCEITY
& ORS. Petitioners

versus

INTEC CAPITAL LTD. Respondent

+ **CRL.M.C. 2536/2018**

DR. R.N.GUPTA TECHNICAL EDUCATINAL
SOCIETY & ORS. Petitioners

versus

INTEC CAPITAL LTD. Respondent

+ **CRL.M.C. 2537/2018**

DR. R.N.GUPTA TECHNICAL EDUCATIONAL SOCIETY
& ORS. Petitioners

versus

INTEC CAPITAL LTD. Respondent

+ **CRL.M.C. 2538/2018**

DR. R.N.GUPTA TECHNICAL EDUCATIONAL SOCIETY
& ORS. Petitioners

versus

INTEC CAPITAL LTD. Respondent

+ **CRL.M.C. 2539/2018**

DR. R.N.GUPTA TECHNICAL EDUCATIONAL SOCIETY
& ORS. Petitioners

versus

IINTEC CAPITAL LTD. Respondent

Advocates who appeared in this case:

For the Petitioners : Mr.Aseem Mehrotra, Advocate.

For the Respondent : Mr. Mukesh Kumar, APP for the State.
Mr Vikram Singh Panwar, Advocate for respondent.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

11.05.2018

SANJEEV SACHDEVA, J. (ORAL)

Crl.M.A.8972-73/2018(exemption) in CRL.M.C. 2522/2018
Crl.M.A.8994-95/2018(exemption) in CRL.M.C. 2534/2018
Crl.M.A.8997-98/2018(exemption) in CRL.M.C. 2535/2018
Crl.M.A.9000 -01/2018(exemption) in CRL.M.C. 2536/2018
Crl.M.A.9003 -04/2018(exemption) in CRL.M.C. 2537/2018
Crl.M.A.9006 -07/2018(exemption) in CRL.M.C. 2538/2018
Crl.M.A.9009-10 /2018(exemption) in CRL.M.C. 2539/2018

Allowed, subject to all just exceptions.

CRL.M.C. 2522/2018 & Crl.M.A.8971/2018(stay)
CRL.M.C. 2534/2018 & Crl.M.A.8993/2018(stay)
CRL.M.C. 2535/2018& Crl.M.A.8996/2018(stay)
CRL.M.C. 2536/2018& Crl.M.A.8999/2018(stay)
CRL.M.C. 2537/2018& Crl.M.A.9002 /2018(stay)
CRL.M.C. 2538/2018& Crl.M.A.9005/2018(stay)
CRL.M.C. 2539/2018& Crl.M.A.9008 /2018(stay)

1. By order dated 26.07.2017, right of the petitioners to lead defence evidence was closed by the Trial Court.
2. The Revisional Court by order dated 01.12.2017 granted one opportunity to the petitioners to lead the entire defence evidence and fixed the matter on 06.12.2017. On 06.12.2017, the accused No.2 presented himself for cross-examination. He was examined and thereafter, on a later date, cross-examined and discharged. The

petitioner, on 06.12.2017, also wanted to examine the handwriting expert, however, the handwriting expert was not present on 06.12.2017 and accordingly, the Trial Court, in terms of order of the Revisional Court closed the right to examine the said witness.

3. Learned counsel for the petitioners submits that the order of the Revisional Court dated 01.12.2017 was only available on 06.12.2017 and as such, the said witness could not be made to appear before the Trial Court for his examination.

4. This contention is disputed by the learned counsel for the respondent, however, learned counsel for the respondent very fairly submits that in view of the expeditious disposal of his complaints, he has no objection in case petitioners are given one opportunity to produce the handwriting expert for his evidence subject to the condition that the witness is examined prior to the next date fixed before the Trial Court for hearing final arguments, i.e.26.05.2018.

5. On the asking of the Court, learned counsel for the petitioners has spoken to the handwriting expert and the handwriting expert is available for giving his testimony on 16.05.2018 & 19.05.2018.

6. Accordingly one opportunity is granted to the petitioners to produce the handwriting expert before the Trial Court on 16.05.2018, subject to payment of costs of Rs.5,000/- per case to be paid to the respondent.

7. The Trial Court is directed to examine the said handwriting expert on 16.05.2018 and in case the testimony is not concluded on 16.05.2018, the same be concluded on 19.05.2018.

8. Since the date 16.05.2018, has been fixed after taking into account the availability of the witness, no further opportunity will be granted to the petitioners to produce the said witness.

9. The petitions are disposed of in the above terms.

10. Order Dasti under signatures of the Court Master.

MAY 11, 2018

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SANJEEV SACHDEVA, J