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

+ CRL.M.C. 3884/2018

M/S G.S. CIVIL ENGINEERING & CONSTRUCTION

INDIA & ANR

..... Petitioners

Through Mr.C.M.Jhapliyal, Adv. with Mr.S.P.
Paul & Ms.Divya Raj, Advs.

versus

THE STATE (NCT OF DELHI) & ANR Respondents

Through Mr.Sanjeev Sabharwal, APP.
Ms.Sonika Tyagi, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **10.09.2018**

1. The petitioner impugns the order dated 02.06.2018 whereby the review petition of the petitioner impugning the orders dated 04.01.2018 and 02.08.2017 dismissing the application of the petitioner under section 311 Cr.P.C. has been rejected.

2. The petitioner had filed the subject application under section 311 Cr.P.C. after the opportunity to file an application under section 145(2) Negotiable Instruments Act was closed.

3. Learned counsel for the petitioner submits that petitioner has good defence on merit, however, has not been able to put the same as no opportunity of cross examination of respondent was given.

4. After some arguments, learned counsel for the respondent/complainant under instructions from the complaint, submits that in view of expeditious disposal of the case, one opportunity be granted to the petitioner to cross examine the respondent/complainant subject to terms.

5. Accordingly, subject to petitioner paying costs of Rs.22,000/- to the respondent/complainant, one opportunity is granted to the petitioner to cross examine the complainant.

6. It is further agreed that since the matter is already listed before the Trial Court on 13.09.2018 for DE. On the said date, the complainant would be cross examined by the petitioner in terms of the order passed by this Court, subject to paying the costs.

7. The petition is accordingly disposed of in the above terms.

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

SANJEEV SACHDEVA, J

SEPTEMBER 10, 2018

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