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

+ CRL.M.C. 3854/2018

VEENA BHATIA

..... Petitioner

Through Ms.Farheen Fatima, Adv. for
Mr.Gurmeet Singh, Adv.

versus

USHA RANI

..... Respondent

Through Mr.Rajeev Ranjan Pandey, Adv.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **20.11.2018**

Notice could not be issued to respondent as PF was not filed.

However, learned counsel for the respondent has appeared in Court and accepted notice.

Learned counsel for the respondent submits that no reply is to be filed.

Arguments heard.

Vide order dated 08.03.2018, learned Metropolitan Magistrate, Delhi has closed the opportunity of petitioner to cross examine the respondent. Accordingly, petitioner preferred a Revision Petition before the learned Additional Sessions Judge. Vide order dated 05.05.2018, revision has been dismissed.

That is how the petitioner is before this Court by way of present

petition under section 482 Cr.P.C.

Petitioner had filed a transfer petition before the learned CMM. During the pendency of said petition, opportunity of petitioner to cross examine the respondent was closed vide order dated 09.03.2018. It is noted that proceedings before the learned Metropolitan Magistrate were not stayed. Learned CMM has noted in the order dated 2nd April, 2018 that the conduct of petitioner was not above the Board. However, complaint case no. 59416/2016 was transferred to the Court of Sh.R.K. Rampuri, Learned MM, Delhi in order to satisfy the petitioner.

In these facts, I am of the view that learned revisional court could have given opportunity to petitioner to cross examine respondent subject to payment of costs.

It is made clear that only one opportunity will be granted to petitioner to cross examine the respondent subject to cost, of ₹10,000/- to be paid by the petitioner to respondent.

Petition is disposed of.

Dasti.

A.K. PATHAK, J

NOVEMBER 20, 2018/ab