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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.REV.P. 668/2017**
BOBBIN & ANR Petitioners

Through: Mr. D'Souza Philip, Advocate.

versus

RAJESH GOYAL Respondent
Through: Mr. Rajiv Mehra with Ms. Jyoti
Sharma, Advocates.

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER
% **15.01.2018**

1. The petitioners impugn order dated 09.03.2017, whereby the right to cross-examine the complainant has been closed. Learned counsel for the petitioners contends that the order of 09.03.2017 is premised on an earlier order of 16.11.2016 where, erroneously, it is recorded that the last opportunity is granted to the accused, whereas, on the said date, the accused was ready to cross-examine, however, the complainant had sought an adjournment.
2. Learned counsel appearing for the respondent/complainant disputes the position and submits that the record would show to the contrary and would reveal that the accused has been taking several adjournments for the purposes of cross-examination.
3. Without getting into any controversy as to who is at fault, it is agreed between the learned counsel for the parties that one last opportunity be granted to the accused to cross-examine the complainant's witness subject to terms.

4. The complainant submits that it is only the complainant, who is to be cross-examined.
5. Learned counsel for the parties submit that the next date fixed before the Trial Court is 02.03.2018 for the evidence of the petitioner/accused.
6. Keeping in view the facts and circumstances of the case, it is deemed expedient to grant the petitioner one more opportunity to cross-examine the complainant's witness subject to payment of costs of Rs. 5,000/-.
7. Accordingly, it is directed that, on 02.03.2018, the matter be taken up before the trial Court for the purposes of cross-examination of the complainant. It is clarified that no further adjournments shall be granted to the accused on that date and the accused shall commence the cross-examination on the said date and, preferably, conclude the same subject to the sufficient time being available with the Court.
8. Since the date has been fixed for cross-examination of the complainant in the presence of the parties, no adjournment shall be granted by the Trial Court, at the request of either party.
9. The petition is, accordingly, disposed of.
10. Order *Dasti* under signatures of Court Master.

SANJEEV SACHDEVA, J

JANUARY 15, 2018/st