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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 1505/2019**

**MAYANK MITTAL** ..... Petitioner  
Through: Mr. Sanjay Gupta, Advocate

versus

**STATE** ..... Respondent  
Through: Mr. Panna Lal Sharma, APP  
with SI Yogendra Kumar,  
PS:Tughlak Road, New Delhi

**CORAM:**  
**HON'BLE MR. JUSTICE CHANDER SHEKHAR**

**ORDER**  
% **19.03.2019**

**CRL.M.A. 5970/2019**

Allowed, subject to all just exceptions. The application is disposed of.

**CRL.M.C. 1505/2019 & CRL.M.A. 5969/2019**

1. Issue notice. Notice is accepted by the learned APP on behalf of the State.
2. Learned APP for the State, though opposed the petition, submitted that, in the interest of justice, one more opportunity may be granted to the petitioner to cross-examine PW-2, Naved, subject to heavy costs and the order dated 26.10.2018 may be set aside.

3. Learned counsel for the petitioner submitted that the petitioner is ready and willing to pay costs, in case one more opportunity is granted to cross-examine PW-2. It is also submitted by the learned counsel for the petitioner that the case is now fixed before the Trial Court on 25.3.2019.

4. Accordingly, in view of the cause submitted as well as the submissions and in the interest of justice, the order dated 26.10.2018, closing the cross-examination of PW-2 is set aside, subject to costs of Rs.30,000/- upon the petitioner, out of which Rs.10,000/- be deposited in the Bharat Ke Veer Corpus Fund, Rs.10,000/- in the Delhi Police Martyrs' Fund, Account No.18200110036907, UCO Bank, IFSC Code:UCBA0001820 and Rs.10,000/- in the Delhi High Court Advocates' Welfare Trust. The receipts of the deposits be filed in the Registry within three weeks. Copy of the receipts shall also be handed over to the APP through the I.O. within three weeks. In case the petitioner fails to deposit the said sum, the prosecution shall be entitled to move an application for passing appropriate orders. It is clarified that PW-2 shall remain present on 25.3.2019 before the Trial Court, when the cross-examination will be conducted by the petitioner. It is clarified that the cross-examination will be concluded on the same date, i.e., 25.3.2019 itself and no further adjournment whatsoever shall be granted, under any circumstances to the petitioner for further cross-examination of PW-2.

5. The petition is disposed of. Pending application is also disposed of.

*Dasti.*

**CHANDER SHEKHAR, J**

**MARCH 19, 2019**

**tp**