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

+ **CRL.M.C. 2353/2019**

VINOD KUMAR AGGARWAL @ LALU ..... Petitioner

Through: Mr. Y.D. Nagar, Advocate

Versus

STATE (GOVT. OF NCT OF DELHI) & ORS. ... Respondents

Through: Dr. M.P.Singh, Additional Public  
Prosecutor for respondent-State  
with SI Bijender Singh

**CORAM:**

**HON'BLE MR. JUSTICE SUNIL GAUR**

**ORDER**

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**01.05.2019**

**Crl.M.A. 9343/2019**

Allowed subject to all just exceptions.

**CRL.M.C. 2353/2019 & Crl.M.A. 9342/2019 (stay)**

Petitioner is a witness in FIR No. 51/2014, under Section 8 of Prevention of Corruption Act, 1988 r/w Section 419/120-B of IPC, registered at Anti Corruption Branch, GNCT Delhi, who is aggrieved by trial court's proceedings of 16<sup>th</sup> April, 2019 (*Annexure P-3*), as he has been declared hostile and is sought to be cross-examined by learned Additional Public Prosecutor for respondent-State.

Counsel for petitioner submits that petitioner had not made any statement under Section 161 Cr.P.C. and so, there was no occasion to declare petitioner as a hostile witness, because petitioner has given

truthful version before the trial court.

Upon hearing and on perusal of Annexure P-3, I find that evidentiary value of petitioner's evidence is not required to be tested at this stage. It would be premature to do so. Let petitioner appear before the trial court for his cross-examination by the learned Additional Public Prosecutor for respondent-State.

Finding no substance in this petition, it is dismissed. Application for stay is dismissed as infructuous.

**(SUNIL GAUR)**  
**JUDGE**

**MAY 01, 2019**

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