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IN THE HIGH COURT OF DELHI AT NEW DELHI
CRL.M.C. 2836/2019 & CrI.M.As. 11487-88

VARUN KALRA

..... Petitioner

Through: Mr. Insaaf Aggarwal, Advocate

Versus

CHANDER KANT MISHRA

..... Respondent

Through: Nemo.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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27.05.2019

Vide impugned order of 1st May, 2019, trial court has granted one opportunity to respondent-complainant for being cross-examined in proceedings under Section 138 of *The Negotiable Instruments Act, 1881*.

Petitioner's counsel assails the impugned order on the ground that the trial court vide order of 12th March, 2019 had closed complainant's evidence and it has no power to recall the order of 12th March, 2019, as it had attained finality.

Upon hearing, I find that due to non-appearance of respondent-complainant before the trial court, he could not be cross-examined but on the same day, application under Section 311 Cr.P.C. for recalling of order was filed and vide impugned order of 1st May, 2019, one opportunity to cross-examine respondent-complainant has been granted.

Finding no error in the impugned order of 1st May, 2019, this petition and the applications are dismissed.


(SUNIL GAUR)
JUDGE

MAY 27, 2019

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Signature Not Verified

Signing Date: 19.10.2024 17:08:57
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