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

+ **CRL.M.C. 5109/2018**

SMT. NEETU RATHORE

..... Petitioner

Through: Mr. Sunil Sharma, Mr. Tushar
Sharma, Mr. Saurabh Sharma
and Mr. Achal Kaushik, Advs.
(DHCLSC)

versus

STATE & ANR.

.... Respondents

Through: Mr.Panna Lal Sharma, APP
Mr. M.M. Hashmi, Adv. for
R-2

CORAM:

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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02.04.2019

1. After some arguments, learned counsel for the petitioner prayed that the petitioner may be granted one more opportunity to cross-examine RW-1, Mr. Ashu Rathore only regarding the five aspects that he has mentioned in the ground C of the petition which are as under:

- “(i) Demand of Rs. 20,000/- for purchase of a motorcycle.
- (ii) Demand of Rs.1,00,000/- and a swift car.
- (iii) Incident of 8.3.2013, wherein the husband tried to kill the petitioner by covering her mouth.
- (iv) Incident of 20.6.2014, wherein the husband of petitioner caught hold of her neck and tried to kill her.
- (v) Regarding DD No.82 B.”

2. Learned counsel for the petitioner submitted that he shall

complete the cross-examination of the RW-1 in one hour, under all circumstances and in case the cross-examination of RW-1 is not completed in one hour, the Trial Court may close the same.

3. Learned counsel for the petitioner further submitted that the petitioner is a poor lady and does not have sufficient sources to make the payment of cost, if any.

4. Learned counsel for the respondent No.2 submitted that in view of the statement made by the learned counsel for the petitioner, at the bar today, that he shall complete the cross-examination of RW-1 within one hour as well as in the interest of justice and just to cut short delay in the matter, an opportunity may be granted to the petitioner to cross-examine the RW-1.

5. Accordingly, in view of the aforesaid facts and circumstances and the submissions of the learned counsel for the parties, the impugned order dated 13.7.2018 is set aside and the petitioner is allowed to cross-examine the RW-1 regarding the five aspects mentioned in the ground C of the petition which stands reproduced hereinabove. The petitioner shall remain bound by the statement of the learned counsel for the petitioner that the cross-examination of the RW-1 shall be completed within one hour on the same date. Let the matter be put up before the Trial Court on 8.5.2019, i.e. the date already fixed, for the cross-examination of RW-1. It is clarified that no further opportunity shall be granted to the petitioner under any circumstances and in case the petitioner fails to cross-examine the RW-1 on the date fixed or in case any adjournment is sought for the said purpose, the Trial Court may close the cross-examination of

RW-1. Parties are directed to appear before the Trial Court on the next date of hearing.

6. Accordingly, the petition is disposed of.

CHANDER SHEKHAR, J

APRIL 02, 2019/rk