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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 544/2020 & CRL.M.A. 2268/2020**
LALAN SINGH Petitioner
Through: Mr. Rakesh Kumar Sharma

versus

STATE OF NCT OF DELHI Respondent
Through: Mr. Sanjeev Sabharwal, APP for State
with W/SI Nisha, PS Vasant Vihar.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **31.01.2020**

CRL.M.A. 2268/2020 (Exemption)

Exemption allowed, subject to just exceptions.

CRL.M.C. 544/2020

The petitioner assails the impugned order dated 21.11.2019 of the learned MM-07, PHC in relation to the FIR No.58/2008, PS Vasant Vihar whereby the petition of the petitioner under Section 311 of the Cr.PC, 1973 seeking recalling for cross examination of PW1 Mr. BM Dua and PW 8 Mr. SP Singh was declined with it having been observed to the effect that said application has been filed with much delay.

It has been submitted on behalf of the petitioner that the petitioner has been represented by a legal aid counsel and on and off there was appearance by the legal aid counsel and sometimes there was no appearance put forth, as a consequence thereof, the petitioner would be gravely prejudiced, if he is not given an opportunity to cross

examine the witnesses.

On behalf of the State, in the interest of justice, the prayer is not opposed.

In the circumstances, the petition is disposed of with one single opportunity being granted to the petitioner for cross-examination of the witnesses PW1 Mr. BM Dua and PW 8 Mr. SP Singh on the date to be fixed by the learned trial Court.

CRL.M.C. 544/2020 is disposed of.

Copy of the order be given Dasti under the signatures of the Court Master, as prayed.

ANU MALHOTRA, J

JANUARY 31, 2020

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