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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 426/2020

CHANDER SHEKHAR

..... Petitioner

Through: Mr. L.M. Grover, Advocate.

versus

STATE & ANR.

..... Respondents

Through: Mr. Ranbir Singh Kundu, ASC with
Mr. Shivam Saharan, Advocate.

CORAM:

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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12.02.2020

Crl. M.A. No. 3191/2020 (for exemption)

Exemption allowed subject to just exceptions.

The application stands disposed of.

W.P.(CRL) 426/2020 and Crl. M.A. No. 3190/2020 (for ex-parte stay)

By way of the present petition, petitioner has challenged the impugned order dated 18.11.2019 in which the revision petition filed by the petitioner was dismissed.

It is submitted by learned counsel for the petitioner that vide order dated 23.01.2019, learned Metropolitan Magistrate had restricted cross-examination of the petitioner only to the extent of his financial competency/credibility and friendly relations between the parties, but the learned Magistrate, according to him, has allowed a

question beyond the permission granted to the accused by him. Learned counsel for the petitioner objects to the question as follows:

“Q. When did the accused hand over the cheque in question to you”

Learned District and Sessions Judge vide judgment dated 18.11.2019 has opined that the aforesaid question is an innocuous question and relevant to the dispute and cannot be objected to as it goes to the root of the case.

In my opinion also, the question is such that it goes to the root of the matter, however, learned counsel for the petitioner, at this stage, submits that he also now does not object to the putting of this particular question, but he prays that further cross-examination of the petitioner be in compliance of the order passed by the learned Magistrate wherein he had stated that cross-examination of the petitioner shall only be with respect to his financial competency/credibility and friendly relations between the parties.

Learned Metropolitan Magistrate to adhere to the order dated 23.01.2019 passed by him and only allow cross-examination of the petitioner on the two aspects, as aforesaid.

With the aforesaid directions, the petition stands disposed of.

Dasti.

RAJNISH BHATNAGAR, J

FEBRUARY 12, 2020

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