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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 1908/2019 & CRL.M.As. 7566/2019, 12349/2019
AMIT GOEL Petitioner
Through: Mr. Aditya Goel, Advocate with Mr.
Rajeev Kumar, Advocate

Versus

AKANSHA JAIN Respondent
Through: Mr. Maninder Singh, Advocate with Mr.
Sarhak Garg & Mr. Sankalp Kohli, Advocates

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
% **12.03.2020**

1. The present petition is filed under Section 482 Cr.P.C. impugning the order dated 06.03.2019 passed by the Principal Judge, District East, Karkardooma Courts, Delhi, in MT No. 181/18, vide which the petitioner's right to cross examine PW-1 was closed.
2. The present proceedings arise out of the complaint filed by the respondent under Section 125 Cr.P.C. seeking maintenance.
3. The impugned order came to be passed on the objection taken on behalf of the respondent that *Mr. Anil Goel* who intended to cross examine the respondent happened to be the brother of the present petitioner.
4. It was argued that *Mr. Anil Goel* being the brother of the petitioner is personally interested in the matter and is prohibited from appearing in the matter in terms of the Bar Council of India Rules.

5. Learned counsel for the respondent contented referred to the Rules 9, 10 & 13 of the Bar Council of India and contended that a counsel who has pecuniary interest in the case should not appear in the aforesaid case. He has also referred to the affidavit dated 23.05.2019 of *Mr. Anil Goel* filed in the complaint case No. 78/2018 pending before the Bar Council of Delhi.
6. Learned counsel for the petitioner submits that vide impugned order, the Principal Judge not only upheld the objection of the respondent but also closed the opportunity to cross examine PW-1 *Akansha Jain*. He submits that the next date fixed before the Family Court is 27.03.2020.
7. Today, learned counsel for the petitioner, on instructions, submits that without prejudice to their rights, in the complaint case pending before the Bar Council of Delhi, the cross examination of PW-1 *Akankhsa Jain* shall be conducted by some counsel other than *Mr. Anil Goel*.
8. In view of the above, the present petition is allowed, subject to the condition that the Family Court shall recall PW-1 *Akansha Jain* for cross examination on one date only unless, in the opinion of the court, one more date is required for completion of the cross-examination.
9. With above directions, the petition is disposed of alongwith pending applications.
10. A copy of this order be communicated to the trial court.
11. *DASTI*.

MANOJ KUMAR OHRI, J

MARCH 12, 2020/p'ma