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

+ **CRL.M.C. 4428/2022 &CRL.M.A. 18074/2022**

DHRUV JALAN

..... Petitioner

Through: Mr. Yash Prakash, Advocate through
V/c.

versus

ARUN MALHOTRA

..... Respondent

Through: Mr. Kunal Anand, Mr. Amresh Bind,
Mr. Deepak Singh and Mr. Sandesh
Kumar, Advocates.

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Date of Decision: 17.04.2023

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

J U D G M E N T

DINESH KUMAR SHARMA, J. (Oral)

1. Learned counsel for petitioner submits that he has challenged the impugned order dated 07.06.2022 whereby request of the petitioner to recall the complainant/ respondent for cross-examination was rejected.
2. Learned counsel for the respondent submits that the petitioner is intentionally delaying the matter. However, learned counsel submits that in order to expedite the trial the request of the petitioner may be allowed subject to heavy cost to be paid for the cross-examination of the complainant.

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3. The matter is now stated to be listed on 21.04.2023.
4. In view of the submissions made the petition is disposed of with the following conditions:
 1. Let respondent no.2 shall appear before the learned Trial Court on 21.04.2023.
 2. Petitioner shall cross-examine the complainant and shall not seek any adjournment and if the learned Trial Court has to adjourn the matter for any reason, only one adjournment should be allowed.
 3. The petitioner shall pay a cost of Rs. 25,000/- (Rupees Twenty Five Thousand Only) to the respondent/complainant.
5. In view of the above, the present petition along with the pending application stands disposed of.

DINESH KUMAR SHARMA, J

APRIL 17, 2023/AR

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