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

+ **CRL.REV.P. 168/2024**

CHANPREET SINGH

.....Petitioner

Through: Dr. Kanwal Sapra, Mr. H.R. Dhamija,
Mr. Arun Kumar Sapra and Mr.
Tapes Vishnoi, Advocates

versus

STATE NCT OF DELHI & ANR

.....Respondents

Through: Mr. Nawal Kishore Jha, APP for State
with SI Yamini Vats PS Patel Nagar,
Delhi.

Mr. Archit Upadhyay, Advocate
(DHCLSC) for respondent no.2 with
respondent no.2 in person.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

22.11.2024

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1. By way of present revision petition, the petitioner seeks to assail the order dated 18.12.2023 passed by the learned Trial Court vide which the petitioner's right to further cross-examine the prosecutrix has been closed.
2. Learned counsel for the petitioner submits that by way of the impugned order, the petitioner's right to cross-examine the prosecutrix has been closed and therefore, his right to a fair trial has been prejudiced.
3. Mr. Archit Upadhyay, Advocate who is on the panel of DHCLSC, is appointed to represent the prosecutrix. He is present in Court alongwith the prosecutrix. Learned APP for the State assisted by Mr. Upadhyay submits that the impugned order came to be passed as the petitioner continued with an irrelevant line of questioning during the cross-examination of the prosecutrix in which he called in question the character of the prosecutrix.



Mr. Upadhyay, upon instructions, states that the prosecutrix is ready to face cross-examination provided that the same is conducted in accordance with law.

4. At this stage, learned counsel for the petitioner undertakes that no irrelevant question will be asked on the character of the prosecutrix as well as regarding her personal and social life. He further undertakes that the cross-examination would be restricted only to the alleged contradictions in her previous statements and prays that only one opportunity may be granted to the petitioner for the same.

5. Considering the aforesaid, the petition is allowed, subject to cost of Rs.10,000/- upon the petitioner to be deposited with the Delhi State Legal Services Authority (A/c No. 18580110053263, UCO Bank, Branch : Rouse Avenue, IFSC : UCBA0003364) within a period of four weeks from today. The amount so deposited shall be utilized by the DSLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

6. The Trial Court shall be at liberty to disallow questions in case the same are found irrelevant and also record the questions so asked, and in case irrelevant questions are asked, the Trial Court would also be at liberty to close the cross-examination. The Trial Court shall also ensure that the victim is summoned only for one date and in case she is not cross-examined on that day for any reason, the right of her cross-examination would stand closed.

7. The petition is disposed of in the above terms.

MANOJ KUMAR OHRI, J

NOVEMBER 22, 2024/rd