



\$~17, 19 & 20

- * **IN THE HIGH COURT OF DELHI AT NEW DELHI**
- + CRL.M.C. 1076/2024 & CRL.M.A. 4267/2024
- SH U K JAIN & ANR. Petitioners
Through: Mr. Sahil Yadav, Advocate.
- versus
- STATE OF NCT OF DELHI & ORS. Respondents
Through: Ms. Kiran Bairwa, APP
Mr. Satyam Thareja (DHCLSC),
Mr. Pratyaksh Sikodia, Advocates for
R-2 with R-2-in-person.
- + CRL.M.C. 1744/2024 & CRL.M.A. 6681/2024
- U K JAIN AND ANR Petitioners
Through: Mr. Sahil Yadav, Advocate.
- versus
- STATE OF NCT OF DELHI & ORS. Respondents
Through: Ms. Kiran Bairwa, APP
Ms. Tanya Agarwal, Mr. Kamlesh
Kumar Mishra and Ms. Renu,
Advocates for R-2 with R-2-in-person.
Mr. T. Singhdev, Adv. for R-3.
- + CRL.M.C. 1823/2024 & CRL.M.A. 6942/2024
- SH U.K JAIN & ANR. Petitioners
Through: Mr. Sahil Yadav, Advocate.
- versus
- STATE OF NCT OF DELHI & ORS. Respondents
Through: Ms. Kiran Bairwa, APP
Ms. Tanya Agarwal, Mr. Kamlesh
Kumar Mishra and Ms. Renu,
Advocates for R-2 with R-2-in-person.
Mr. T. Singhdev, Adv. for R-3.



CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

15.04.2024

%

1. Three separate petitions under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') have been preferred on behalf of petitioners against order dated 25.08.2023 passed by learned MM, NI Act-04, West District, Tis Hazari Courts, Delhi in CC Nos. 23778/2016, 23776/2016 and 23777/2016, whereby, the right of accused Nos. 2 and 3 (petitioners herein) to examine the complainant was closed.
2. Learned counsel for the petitioners clarifies that CRL.M.C. 898/2024 preferred by petitioner with reference to CC No. 23775/2016, which was also taken up by learned Trial Court along with CC Nos. 23778/2016, 23776/2016 and 23777/2016 referred to above, was allowed and one opportunity to cross-examine the complainant was granted by Co-ordinate Bench vide order dated 07.02.2024, subject to payment of further cost of Rs. 10,000/- apart from cost awarded by learned Trial Court and thereby granting a total cost of Rs. 20,000/- to be paid to respondent / complainant in the said proceedings. He further submits that vide order dated 17.05.2023, learned Trial Court had granted an opportunity to accused / petitioners to cross-examine the complainant with conditional cost of Rs. 10,000/-, which was composite in all the CCs referred to above.
3. Learned counsel for respondent No. 2 in all the petitions, on instructions, submits that he has no objection in case one further opportunity is granted to petitioners to cross-examine the complainant, subject to payment of cost.
4. Considering the facts and circumstances, petitioners are granted one



more opportunity to cross-examine the complainant on the next date of hearing, subject to payment of cost of Rs. 5,000/- each in the respective complaint cases preferred by respondents. Since, composite cost imposed vide order dated 17.05.2023 has been directed to be paid in CRL.M.C. 898/2024, only cost of Rs. 5,000/- each shall be paid to respondents / complainants herein.

Learned Trial Court is further directed to make an endeavour to expeditiously conclude the aforesaid cases within a period of six months from the date of receipt of this order.

Petitions are accordingly disposed of. Pending applications, if any, also stand disposed of.

A copy of this order be sent to the learned Trial Court for information and compliance. A copy of this order be kept in connected petitions.

ANOOP KUMAR MENDIRATTA, J.

APRIL 15, 2024/R