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

+ **CRL.M.C. 1403/2024 & CRL.M.A. 5547/2024 (Stay)**

MAHESH KUMAR SHARMA Petitioner

Through: **Mr. Aman Usman, Advocate.**

versus

KANTI DEVI & ANR. Respondents

Through: **Mr. D.K. Rai & Mr. Ajay Kumar,**
Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

20.03.2024

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1. The present petition under Section 482 of the Cr.P.C. seeks the following prayers:

“A. To quash/ set aside the order dated 27.01.2024, passed by the court of Sh. Siddhant Kumar, Ld.MM, NI Act-06/ South, Saket court, New Delhi in case titled as Kanti Devi Vs Mahesh Kumar Sharma, Ct Case No.12112/2017, and

B. Recall the CW1 for the purpose of cross examination in case titled as Kanti Devi Vs Mahesh Kumar Sharma, Ct Case No.12112/2017, pending before the court of Sh. Siddhant Kumar, Ld.MM, NI Act-06/ South, Saket court, New Delhi.

Pass such other further order(s) as may deem fit in the facts and circumstances of the case.”

2. Without going into the merits and with the consent of the parties, following directions are being passed:

i) The impugned order dated 27.01.2024 in Ct. Case No. 12112/2017, is set aside.



ii) Smt. Kanti Devi, i.e., complainant/respondent no 2 shall appear before the learned Trial Court on 16.04.2024 at 02:15 PM, for the purpose of her cross-examination.

iii) It is directed that the cross-examination of the complainant/respondent no. 2 shall be concluded on the said date by learned counsel for the petitioner herein before the learned Trial Court.

iv) It is directed that no further adjournment shall be given the learned Trial Court for the said purpose.

3. The aforesaid is subject to cost of Rs. 5,000/- to be paid by the petitioner to the complainant/respondent no. 2 before the learned Trial Court.

4. With the aforesaid directions, the petition stands disposed of.

5. Pending application(s), if any, also stand disposed of.

6. Order be communicated to learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

MARCH 20, 2024/bsr