



\$~121

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

+ **CRL.M.C. 2473/2024**

**SHRI GYAN CHAND**

..... Petitioner

Through: Mr.Praveen Suri, Advocate with  
Mr.Sagar Nandwani, Advocates.

versus

**STATE**

..... Respondent

Through: Mr.Sanjeev Sabharwal, APP for State  
with SI Chandan, PS Paschim Vihar  
East.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ KUMAR OHRI**

**ORDER**

%

**27.03.2024**

**CRL.M.A. 9416/2024 (exemption)**

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

**CRL.M.C. 2473/2024, CRL.M.A. 9417/2024 (stay)**

1. By way of present petition filed under Article 227 of the Constitution of India and Section 482 Cr.P.C., the petitioner seeks setting aside of the order dated 06.03.2024 passed by the learned MM, Mahila Court-05, West, Tis Hazari Courts, Delhi in Cr. Case No.65542/2016 titled “State vs Shri Gyan Chand”, vide which the petitioner’s right to lead defence evidence was closed.
2. Issue notice.
3. Notice is accepted by learned APP for State.
4. Mr. Suri, learned counsel for the petitioner states that at no point of time, had he expressed that he would not appear before the learned trial



court. He states that the petitioner was duly represented by his associates who even cross-examined the complainant's witnesses. He states that he has the highest respect for the trial court and even undertakes to withdraw the transfer petition filed by him. He prays that only one opportunity be granted to the petitioner to examine himself and another witness namely *Guddi*, in support of his contentions. He assures that no adjournment will be sought on behalf of the petitioner henceforth. The petition is also accompanied by the affidavit of learned counsel for the petitioner.

5. Considering the aforesaid submissions and assurances given by learned counsel and in the interest of justice, let the trial court grant two dates to the petitioner to lead his defence evidence, however, subject to the payment of cost of Rs.10,000/- to be paid to Delhi Legal Services Authority (A/c No. 18580110053263, UCO Bank, Branch : Rouse Avenue, IFSC : UCBA0003364) within two weeks from today. The amount so deposited shall be utilized by the Delhi State Legal Services Authority for providing counselling/psychological support to POCSO victims requiring such assistance.

6. The petitioner shall take requisite steps to summon and examine the witnesses for the next date.

7. The petition is disposed of with the direction that the learned trial court shall give two dates to the petitioner to lead his defence evidence.

8. In case proof of deposit of cost is not filed within two weeks, the matter be placed before the Court.

**MANOJ KUMAR OHRI, J**

**MARCH 27, 2024**

VLD