



\$~26

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C. 2484/2024 & CRL.M.A.9460/2024**

MR SYED MANOWER MOHSINPetitioner
Through: **Mr. Hari Shanker, Advocate.**

versus

MAY AND BAKER PHARMACEUTICAL LTDRespondent
Through:

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

%

ORDER
23.08.2024

1. Petition under Section 482 of the Cr.P.C has been filed on behalf of the petitioner to set aside the order dated 20.10.2022 and 08.08.2023 of the learned MM vide which the application under Section 311 Cr.P.C for cross examination of the complainant has been dismissed.
2. It is submitted in the petition that petitioner was unable to file his application under Section 145(2) within time and the right was closed vide order dated 20.10.2022. Thereafter, the petitioner preferred an application under Section 311 Cr.P.C for cross examination of the complainant which was dismissed by the learned MM vide order dated 20.10.2022.
3. A revision was filed against the said order before the learned ASJ which was dismissed on 19.12.2022 by observing that the orders



rejecting application under Section 311 Cr.P.C is interlocutory under revision is not maintainable.

4. **Submissions heard.**

5. Essentially, the petitioner despite being given an opportunity had failed to file an application under Section 145(2) Cr.P.C. In order to circumvent this, an application Section 311 Cr.P.C has been filed to achieve the same purpose of cross examination of the complainant.

6. There is no merit in the present revision petition which is hereby dismissed with the pending application, if any.

NEENA BANSAL KRISHNA, J

AUGUST 23, 2024

rk