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

+ **CRL.M.C. 3187/2024 & CRL.M.A. 12316/2024**

NISHI DHIR

..... Petitioner

Through: Ms. Meenu Chopra, SPA holder of
petitioner with petitioner in person.

versus

ASHISH DHIR & ORS.

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

29.04.2024

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1. By way of present petition filed under Section 483 read with Section 482 Cr.P.C, the petitioner is aggrieved by the order dated 01.03.2024 passed by the learned MM, Mahila Court-02, West District, Tis Hazari Court, Delhi in CC No.59448/2016 titled 'State vs Ashish Dhir Etc.'

2. Ms. Meenu Chopra, the SPA holder of the petitioner appears in person and states that the matter was listed on the said date for recording of their evidence, however, the PE was closed after recording that both the witnesses namely *Meenu Chopra* and *Ms. Nishi Dhir*/petitioner had refused to depose. The petitioner claims that on the said date, their father was indisposed and for this reason they could not depose before the Trial Court. It is submitted that the petitioner has highest respect for the Court. It is further submitted that one opportunity be granted for recording of their deposition before the Trial Court. It is further submitted that the petitioner is in the process of filing revision petition.

3. Considering that the petitioner has approached this Court under Section 482 Cr.PC and is present in Court today, this Court is of the



considered opinion that the petition itself can be disposed of with the direction that one opportunity be granted to the petitioner and the other witness to depose before the Trial Court. The petitioner, who appears in person, undertakes to appear before learned MM on the said date.

4. In view of the aforesaid, the directions passed to the SHO in the order dated 01.03.2024, to register a case is also set aside.

5. The petition is disposed of in above terms along with pending application.

MANOJ KUMAR OHRI, J

APRIL 29, 2024/rd