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

+ CRL.M.C. 3861/2024, CRL.M.A. 14774/2024 &
CRL.M.A. 14775/2024

RAKESH KUMAR GUPTA Petitioner
Through: Mr. Pramod Kumar
Dubey, Sr. Advocate
alongwith Advocate Dr.
Alok, Ms. Amrita Vatsa,
Ms. Aditi, Ms. Ritvika
Poswal, Ms. Sangeeta &
Mr. Mayank Deswal,
Advocates.

versus

SUNITA MITTAL Respondent
Through: Mr. Ayushi Mittal & Mr.
Aaditya Chopra, Advocates.

+ CRL.M.C. 3863/2024, CRL.M.A. 14781/2024 &
CRL.M.A. 14782/2024

RAKESH KUMAR GUPTA Petitioner
Through: Mr. Pramod Kumar
Dubey, Sr. Advocate
alongwith Advocate Dr.
Alok, Ms. Amrita Vatsa,
Ms. Aditi, Ms. Ritvika
Poswal, Ms. Sangeeta &
Mr. Mayank Deswal,
Advocates.

versus

SUNITA MITTAL Respondent
Through: Mr. Ayushi Mittal & Mr.
Aaditya Chopra, Advocates.



CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
14.05.2024

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1. The present petitions are filed under Section 482 of the Code of Criminal Procedure, 1973 ('CrPC') challenging the orders dated 11.07.2023 and 20.12.2023 passed by the learned MM (NI Act), North West, Rohini Court, Delhi in case bearing no. Ct. Case 6770/2018 and Ct. Case 3936/2018 captioned '*Sunita Mittal vs. Rakesh Kumar Gupta* (hereafter '**the impugned orders**').
2. The learned MM by the impugned order dated 11.07.2023 closed the right of the petitioner to cross-examine the complainant and by the impugned order dated 20.12.2023 dismissed the application filed by the petitioner under Section 311 of the CrPC seeking recalling of complainant as witness.
3. The learned senior advocate for the petitioner submits that if the opportunity is granted, the cross-examination would be conducted on one date and no adjournment will be sought going forward in the present complaint case.
4. He submits that best endeavours would be made to get the proceedings concluded expeditiously.
5. The learned counsel for the respondent, at the outset, on instructions, very fairly submits that he has no objection, if the respondent is adequately compensated.
6. In view of the above, without going into the merits of the dispute and the maintainability of the present petition, this Court considers it apposite to grant one last opportunity to the petitioner to cross-examine the complainant.
7. It is pointed out that the matter is listed for consideration



tomorrow, that is, on 15.05.2024.

8. The learned Trial Court is requested to fix a date for cross-examination of the witness as per its convenience and make efforts to expeditiously conclude the proceedings in Ct. Case 6770/2018 and Ct. Case 3936/2018.

9. The present petitions are allowed, subject to payment of cost of ₹50,000/- to the respondent with the aforesaid terms.

10. A copy of this order be placed in both the matters.

AMIT MAHAJAN, J

MAY 14, 2024

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