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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 4008/2024 & CRL.M.A. 15266/2024(Stay), CRL.M.A.
15265/2024(Exemption)

AAMNA BEGUM

..... Petitioner

Through: Mr. Shahid Ali & Mr. Sameer
Tayyeb, Advs.

versus

STATE THROUGH SHO MALVIYA NAGAR Respondent

Through: Mr. Amit Ahlawat, APP for the State
SI Jitender Singh, PS. Malviya Nagar.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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17.05.2024

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

“a. To set aside the order dated 26.04.2024 passed by Ms. Shilpi Singh, Ld. MM, -02(South)/ Saket Courts, New Delhi, whereby the Ld. Trial Court has been pleased to close the right to cross examine the pw 10, SI Suraj.

b. Pass such order or any further order as this Hon'ble Court deem fit and just proper, in the interest of justice.”

2. Learned counsel appearing on behalf of the petitioner submits that on account of a personal difficulty, he could not appear before the Learned Trial Court on the date fixed for cross-examination of PW-10. He further submits that one last opportunity may be granted to him for cross-examination of the aforesaid witness and he shall ensure that the same is concluded on the date so fixed.



3. It is pointed out that the matter is fixed for today i.e., on 17.05.2024 before the learned Trial Court for statement of the accused.
4. In view of the statement of the learned counsel for the petitioner, the order dated 26.04.2024 is set aside. The matter is remanded back to the Learned Trial Court for fixing the date for cross-examination of PW-10 in presence of the learned counsel of the petitioner.
5. On the date so fixed, the learned counsel for the petitioner will be available before the Learned Trial Court on the first call for the aforesaid cross-examination.
6. In view of the above, the present petition is allowed and disposed of accordingly.
7. The petitioner alongwith counsel shall appear before the Learned Trial Court on 20.05.2024 at 2:00 P.M. for further proceedings.
8. Order be uploaded on the website of this Court, *forthwith*.
9. Copy of the order be sent to the Learned Trial Court for necessary information and compliance.

AMIT SHARMA, J

MAY 17, 2024/nk

Click here to check corrigendum, if any