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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.M.C. 5666/2023, CRL.M.A. 21331/2023, CRL.M.A.
21332/2023

SH. IQBAL SINGH & ANR. Petitioners
Through: Mr. Sachin Tandon, Advocate.

versus

THE STATE GOVT OF NCT OF DELHI Respondent
Through: Mr. Laksh Khanna, APP for State
with SI Meenu, P.S. Kirit Nagar.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

08.01.2024

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1. By way of present petition filed under Section 482 Cr.P.C., the petitioners seek recall of witness-PW3 under Section 311 Cr.P.C.
2. It is the case of the petitioners that PW3 was cross-examined on one date however, she could not be cross-examined on the aspect of contradictions appearing in her previous statements. Learned counsel prays that one opportunity be granted to recall the said witness as the same would not delay the trial, the same still being at the stage of prosecution evidence. He assures that only one date be granted to carry out the said cross-examination.
3. Learned APP for the State however opposes the petition.
4. Considering that the case is at the stage of prosecution evidence, the ends of justice would be met if one more opportunity is granted to the petitioners to cross-examine PW3. Accordingly, subject to payment of cost



of Rs.10,000/- to be deposited with the *Delhi Legal Services Authority* within one week, Trial Court shall summon PW3 for one day on which the petitioners shall conclude the cross-examination failing which their right to cross-examine the said witness shall stand closed. The amount so deposited shall be utilized by the DLSA for providing counselling/psychological support to POCSO victims requiring such assistance.

5. Petition is disposed of alongwith miscellaneous applications.

MANOJ KUMAR OHRI, J

JANUARY 8, 2024/ga