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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 7693/2023

VIJAY KUMAR JHA

..... Petitioner

Through: Mr. Vikram Aggarwal, Adv. with Mr.
Pramod Tyagi, Advocate

versus

STATE (GNCTD) AND ANR.

..... Respondents

Through: Mr. Aashneet Singh, APP for State
Mr. Suhail Sehgal and Mr. Prashant
Drolia, Advs. For R-2

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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09.02.2024

1. By way of the present petition, the petitioner seeks to assail the order dated 01.05.2023 passed in Complaint Case No. 16600/2019 whereby the application u/s 311 Cr.P.C to recall the complainant for further cross-examination was dismissed.
2. Learned counsel for petitioner states that it is the petitioner's case that the entire debt was already paid and nothing was due, however in the earlier cross-examination, this aspect was not put to the complainant.
3. After some arguments, learned counsel for the respondent No.2 says that he has no objection, however says that some costs may be put up for delaying the trial.
4. Considering the above, the petition is allowed subject to the petitioner paying costs of Rs.15,000/- to the respondent on the date when the case is listed. The Trial Court shall recall the complainant and permit the petitioner



to cross-examine him only on one date. Learned counsel for the petitioner states that the petitioner assures that no adjournment would be sought on their behalf and cross-examination will be conducted on the said date.

5. A copy of the order be communicated to the Trial Court.

MANOJ KUMAR OHRI, J

FEBRUARY 9, 2024

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