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

+ **CRL.M.C. 6586/2024, CRL.M.A. 26795/2024**

RAGHUVINDER SINGH

.....Petitioner

Through: Mr. B Badrinath and Mr. Dhruv
Bhardwaj, Advocates

versus

STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Satinder Singh Bawa, APP for
the State
Mr. Anuj Arora, Adv for R-2

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

05.09.2024

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1. The present Petition has been filed under Section 482 Cr.P.C for challenging the Order dated 20.06.2024 vide which the defence evidence of the petitioner has been closed.
2. It is submitted that the last date was fixed for recording of Defence witnesses on 20.06.2024 but unfortunately the mother of the petitioner died on 14.06.2024. The Prayer Meeting was scheduled for 23.06.2024 on account of which, he failed to appear and his evidence was closed.
3. Learned counsel for the respondent has vehemently contested this Petition on the ground that he has failed to cross examine the complainant and his Application for recall of the complainant for cross examination has also been dismissed. He has failed to either appear himself for his Statement or summon the bank witnesses which he had intended to examine. It is



submitted that the complainant is a 71 year old man, who has been denied his legitimate money despite the same being promised in the Mediation Centre. It is contended that the conduct of the petitioner reflects an intent of delay, and the Petition be dismissed.

4. Submissions Heard.

5. The petitioner had been given an opportunity for recording of his testimony and his witnesses on 04.01.2025, on which date he moved an Application. Thereafter, the matter was adjourned for 23.04.2024, but again the witnesses were produced. Final opportunity was given for 20.06.2024, but he failed to appear on that day for the reasons stated in the Petition.

6. Learned counsel for the petitioner submits that no other witness except the petitioner is sought to be recorded.

7. Considering the reasons explained for non appearance on 20.06.2024 as demise of his mother, the petitioner is granted one opportunity for recording of his Statement on the date already fixed before the learned Trial Court i.e. 13.09.2024.

8. The order is subject to cost of Rs. 25,000/-, to be paid to the complainant.

9. It is made clear that under no circumstances whatsoever, would a further opportunity for recording the statement/testimony, of the petitioner shall be granted.

10. The Petition is allowed and accordingly disposed of.

NEENA BANSAL KRISHNA, J

SEPTEMBER 5, 2024/PT