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

+ **CRL.M.C. 9479/2023**

AMARJIT

..... Petitioner

Through: Mr. Gauri Shankar Sharma, Advocate

versus

STATE GNCT OF DELHI

..... Respondent

Through: Mr. Sanjeev Sabharwal, APP for State
with SI Pooja

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

21.02.2024

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1. By way of present petition filed under Section 482 Cr.P.C., the petitioner has challenged the order dated 13.07.2023 passed by learned ASJ, Saket Courts, New Delhi whereby his application filed under Section 311 Cr.P.C. for recalling of witness for further cross-examination came to be dismissed.
2. Learned counsel for the petitioner states that the witness sought to be recalled is the complainant based upon the premise that the complainant has improved upon her statement in the trial court and was not cross-examined on certain material aspects.
3. Issue notice.
4. Learned APP for the State accepts notice.
5. After perusing the entire factual matrix, I am of the considered opinion that interest of justice would be served if the petitioner is provided



one last opportunity to cross-examine the said witness. It is informed that the next date of hearing before the trial court is 02.04.2024.

6. Consequently, the petition is allowed and the trial court is directed to summon PW-6 only for one date for further cross-examination, subject to payment of cost of Rs.5,000/- to be deposited by the petitioner with the Delhi State Legal Services Authority within a period of two weeks from today.

6. Learned counsel for the petitioner assures that further cross-examination of the said witness would be carried out on that day.

7. In view of the above, the present petition is disposed of.

8. A copy of this order be communicated to the concerned trial court for information.

MANOJ KUMAR OHRI, J

FEBRUARY 21, 2024

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