



\$~71

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

+ CRL.M.C. 592/2025, CRL.M.A. 9354/2025

ABHINAV SINGH

.....Petitioner

Through: Mr. V. P. Singh, Mr. Deepak
Sangwaan and Ms. Shivani,
Advocates.

versus

YASHPAL SINGH

.....Respondent

Through: Mr. Honey Chauhan, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

05.05.2025

%

1. The present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023¹ is directed against order dated 12th December, 2024, passed by the Judicial Magistrate First Class in C.C. No. 24873/2016, whereby the Petitioner's right to cross examine the Complainant has been closed.

2. During the course of submissions, counsel for the Respondent pointed out that repeated adjournments were taken by the Petitioner in the matter constraining the Trial Court to pass the impugned order, closing the right of the Petitioner. He further highlights that the complaint itself is of the year 2015 and the Petitioner has been delaying the matter for several years. Nonetheless, counsel for the Respondent submits that in case the Petitioner is agreeable to compensate the Complainant by payment of some cost, the

¹ "BNSS"



Respondent would not have any objection to the Petitioner's request. In response, counsel for the Petitioner states on instructions that the Petitioner is agreeable to pay the cost which may be imposed by this Court.

3. Accordingly, with the consent of the counsels, the present petition is disposed of with the following directions:

a. Petitioner shall pay cost of INR 30,000/- to the Complainant within two weeks from today.

b. Subject to the above, the Petitioner shall be afforded one final opportunity to cross examine the Complainant before the Trial Court.

c. In case of failure on the part of the Petitioner to cross examine the Complainant on the date to be fixed by the Trial Court, no further opportunity shall be granted.

d. The Petitioner shall not seek any adjournment and in the event of any failure, the right of cross-examination shall be closed.

e. For this purpose, parties shall appear before the Trial Court on 30th May, 2025 or any such other date, which is to be fixed by the Trial Court.

4. In light of the above circumstances, the impugned order is set aside.

5. Accordingly, the petition is disposed of along with pending application(s).

6. The date of 23rd July, 2025, stands cancelled.

SANJEEV NARULA, J

MAY 5, 2025

nk