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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CRL.M.C. 672/2025 & CRL.M.A. 3199/2025**  
**AMRIT SANDHU COSTAR** .....Petitioner

Through: Mr. Ripin Sood and Ms. Priya Soni,  
Advocates.

versus

**STATE AND ANR** .....Respondents

Through: SI Suraj, P.S. Hauz Khas.  
Mr. Sundeep Shegal, Advocate for R-  
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**CORAM:**  
**HON'BLE MR. JUSTICE SANJEEV NARULA**

% **ORDER**  
**10.02.2025**

1. The present petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023,<sup>1</sup> impugns order dated 24<sup>th</sup> May, 2024 whereby Petitioner's request to conclude the remaining portion of her cross examination through video conferencing facility has been rejected.
2. The Petitioner is the complainant in CR. C No. 2852/2019 titled as ***State v. Atamjit Singh*** arising from FIR No. 734/2015. The complainant has been examined in person on three different occasions; however, her statement is still not complete.
3. The Trial Court has rejected the Petitioner's plea, observing that there were no unavoidable circumstances pointed out to justify granting the request.



4. Counsel for Petitioner states that Petitioner is unable to travel on account of medical reasons and to support this submission, reliance is placed on the medical certificate dated 24<sup>th</sup> May, 2024, as well as other certificates issued by the doctors.

5. Considering the aforementioned circumstances, the present petition is allowed and the complainant is permitted to be examined through video conferencing facility subject to the following conditions:

(i) Evidence of the witness, namely Amrit Sandhu Costar shall be recorded through video conferencing between New Delhi, India and Chicago, USA.

(ii) In Delhi, the video conferencing shall be conducted in the facilities available at Saket Court (South District), New Delhi in accordance with the Video conferencing Rules issued by the Delhi High Court *vide* notification No. 325/Rules/DHC.

(iii) The official-in -Charge of the computer branch at Saket Courts, (South District) is appointed as the co-ordinator with regard to the technical aspects of video conferencing in India.

(iv) The Consulate General of India, Chicago, USA shall nominate a senior officer, not below the rank of Deputy Secretary of India, to facilitate video conferencing. The officer nominated by the Consulate General of India, Chicago, USA, shall co-ordinate the video conferencing arrangements in Chicago, USA and shall remain present at the time of recording of the evidence of the witness.

(v) The officer nominated by the Consulate General of India, Chicago, USA in terms of the direction at serial No.(iv) above shall ensure that apart

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<sup>1</sup> ['BNSS']



from his own presence, only counsel for the Complainant/Petitioner, if required, is present at the time of video conferencing. He shall ensure that no manner of prompting by word or signs or by any other mode is permitted.

(vi) The officer nominated by the Consulate General of India, Chicago, USA shall verify the identity of the witness before commencement of her examination.

(vii) As soon as the identification part is complete, oath will be administered by the Trial Court through the media as per Oaths Act, 1969.

(viii) The witness shall be examined during working hours of Indian Courts. The plea of any inconvenience on account of time difference between India and Chicago, USA shall not be allowed. However, the convenience of Consulate General of India in Chicago, USA shall be taken into consideration in fixing the time and schedule.

(ix) The cross-examination, as far as practicable, be proceeded without any interruption and without granting unnecessary adjournments. However, discretion of the Trial Court shall be respected.

(x) The Trial Court may record any material remarks regarding the demeanour of the witness while on the screen and shall note the objections raised during recording of evidence.

(xi) The deposition of the witness shall be signed immediately in the presence of the nominated officer of the Consulate General of India, Chicago, USA. The said officer shall certify/attest the signatures of the witness.

(xii) The audio and visual shall be recorded at both the ends and copies thereof shall be provided to the parties at the expense of the Petitioner.

(xiii) The Petitioner shall bear the cost/expenses of the video conferencing.



The expenses for the video conferencing to be undertaken in Chicago, USA shall be informed to the Petitioner through counsel by the Indian High Commissioner. However, in case of any difficulty, the same may be communicated to the officer-in -Charge (computer branch) of Saket Court, (South District), New Delhi, by e-mail, who shall communicate the same to the Petitioner's counsel in India.

(xiv) The officer of the Consulate General of India, Chicago, USA to be nominated by the Consulate General of India, Chicago, USA shall be paid a lump sum amount of Rs. 75,000/- as honorarium.

(xv) The Petitioner shall deposit an amount of Rs. 10,000/- as cost of preparation of the certified copies with the Registry of Saket Court (South District), in the present case within two weeks from today. The Registry shall thereafter pre-prepare certified copies of the entire record of the case, which shall be sent in separate folders clearly marked as order sheets; pleadings; applications; Prosecution's documents and Defendant's documents. The same shall be forwarded to the Consulate General of India, Chicago, USA with the assistance of Ministry of External Affairs.

(xvi) This record shall be made available to the officer nominated by the Consulate General of India, Chicago, USA for the purpose of undertaking the video conferencing as it would be necessary for recording the cross-examination of the witness.

6. The Petition is allowed in the above terms.

7. Disposed of along with pending applications.

**SANJEEV NARULA, J**

**FEBRUARY 10, 2025/as**