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

+ **CRL.M.C. 4049/2025**

GURJEET SINGH

.....Petitioner

Through: Mr. Ajay Khanna, Mr.
Harry Bir & Ms. Ekta
Pareek, Advs.

versus

BALWINDER SINGH SETHI

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

O R D E R

% **30.05.2025**

CRL.M.A. 17589/2025 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The petitioner challenges the order dated 20.05.2025 passed by the learned Principal District & Sessions Judge (PD&SJ), West District, Tis Hazari Courts, Delhi dismissing the criminal revision petition filed by the petitioner and upholding the order dated 02.04.2025, passed by the learned Judicial Magistrate First Class (JMFC) in complaint case No.15993/2016.

4. The complaint pending before the learned JMFC relates to a complaint under Section 138 of the Negotiable Instruments Act, 1881 filed by the respondent. The matter was listed before the learned JMFC on 02.04.2025 and an adjournment was sought on



behalf of the petitioner stating that certain proceedings are pending before the High Court.

5. The learned JMFC, by order dated 02.04.2025, while noting that last opportunity was granted to the petitioner to address arguments on 18.01.2025 and that it was also indicated in the said order that if the arguments are not addressed, heavy cost shall be imposed, closed the right of the petitioner to address oral arguments and granted him an opportunity to file written submissions within a period of 15 days. The challenge to the said order was dismissed by the impugned order.

6. The learned counsel for the petitioner submits that since the proceedings were pending before this Court, wherein the petitioner is praying that an application under Section 165 of the Indian Evidence Act, 1872 be allowed and he be permitted to recall, re-examine and cross-examine the complainant, the adjournment was sought by him before the learned JMFC.

7. He, however, on instructions submits that he is ready to address final arguments if one last opportunity is granted. He submits that the matter is now listed on 31.05.2025 before the learned JMFC.

8. Considering the aforesaid, purely in the interest of justice, this Court considers it apposite to allow the present petition and grant one last opportunity to the petitioner to address arguments on adequately compensating the respondent.

9. In view of the above, the present petition is allowed and the petitioner is permitted to address oral arguments before the learned JMFC on 31.05.2025, on payment of cost of ₹10,000/- to the respondent.



10. A copy of the order be communicated to the learned JMFC, West, Tis Hazari Courts for necessary compliance.
11. Petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

MAY 30, 2025
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