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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL.M.C.8959/2023**
AMARJEET SINGHPetitioner

Through: Ms. Mansi Gupta and Ms. Ritu
Mishra, Advs.

versus

THE STATE & ANR.Respondents
Through: Mr. Sanjeev Sabharwal, APP for the
State with Ms. Mansi Sharma, Adv.

CORAM:
HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER
% **28.02.2025**

Petition has been taken up as directed, since Hon'ble Mr. Justice Amit
Sharma is not holding the court today.

CRL.M.A. 6449/2025

1. An application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') has been preferred on behalf of petitioner for waiving of cost and extension of time for cross examining the witnesses.
2. Issue notice. Learned APP for the State appears on advance notice and accepts notice.
3. Respondent No.2 be served by all permissible modes on necessary steps being taken by learned counsel for the petitioner, returnable for 06.03.2025.
4. Learned counsel for petitioner submits that vide order dated



11.02.2025, petition preferred on behalf of petitioner for recalling witness was allowed subject to cost of Rs. 50,000/- to be paid to respondent no. 2/complainant. She submits that matter is fixed before the learned Trial Court for cross-examination of witnesses for today (i.e. 28.02.2025) but the petitioner is not in a position to pay the cost of Rs. 50,000/- as directed vide order dated 11.02.2025.

She further submits that petitioner shall pay cost of Rs. 25,000/- to respondent no. 2 today itself before the learned Trial Court in order to ensure that the concerned witnesses are cross-examined and further balance cost of Rs. 25,000/- may be made subject to outcome of the present application.

5. Taking the statement of learned counsel for petitioner on record, learned Trial Court is directed to permit the cross-examination of the concerned witnesses today itself subject to payment of cost of Rs. 25,000/- to respondent no. 2 by the petitioner. Learned Trial Court shall also be at liberty to adjourn the matter if deemed appropriate as it is already 3:20 PM.

List before the concerned Roster Bench on 06.03.2025.

A copy this order be forwarded to learned Trial Court for information and compliance. The order may also be apprised by learned counsel for the petitioner to the learned Trial court.

A copy of this order be given Dasti under the signatures of Court Master/Private Secretary to the learned counsel for petitioner, as prayed.

ANOOP KUMAR MENDIRATTA, J

FEBRUARY 28, 2025

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