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

+ CRL.M.C. 9318/2023& CRL.M.A. 34859/2023

SHRI RAMJAS ROYAL

.....Petitioner

Through: Mr. M.C. Sharma & Mr. Chetan
Kumar, Advs.

versus

THE STATE NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Sanjeev Sabharwal, APP for the
State.
Mr. Abhimanyu Sharma, Advocate for
R-2 (through VC).

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **28.05.2025**

1. This hearing has been done through hybrid mode.
2. The present petition under Section 482 of the Cr.P.C. seeks the following prayers:

“a) quash/set aside the impugned order dated 22.03.2023 passed by Shri Arvind Dev, Ld. M.M. (East) Karkardooma Courts, Delhi in CC No. 56810/2016 titled as M/s M.K. Jain Vs. Shri Ramjas Royal under section 138 of N.I. Act and /or.

b) Allow the petitioner to cross examine the respondent no.2/complainant in the aforesaid criminal complaint No. 56810/2016 in the interest of justice;

c) Pass any other or further orders or direction which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

3. The present petition challenged the impugned order dated 22.03.2023 whereby the right to cross-examine the complainant/respondent no. 2 was struck off.



4. Learned counsel appearing on behalf of respondent no. 2 submits that despite various opportunities, no cross-examination of the complainant/respondent no. 2 was conducted, and therefore, the impugned order suffers from no illegality. He, however, fairly submits that a last and final opportunity may be granted to the petitioner/accused subject to payment of cost to the complainant/respondent.
5. In view of the above, with the consent of the parties, following directions are passed: -
- (i) Learned Trial Court shall fix a date for cross-examination of the complainant/respondent no. 2 with mutual consent of both the parties and no adjournment shall be granted for cross-examination of respondent no. 2 on the said date.
 - (ii) The aforesaid direction is subject to the payment of cost of Rs.20,000/- to be paid by the petitioner to respondent no. 2 before the learned Trial Court.
 - (iii) Let the parties appear before the learned Trial Court on 01.07.2025 at 02:30 PM.
6. In view of the above, the impugned order dated 22.03.2023 is set aside. The petition is allowed and disposed of.
7. Pending application(s), if any, also stands disposed of.
8. Order be communicated to the learned Trial Court for necessary information and compliance.
9. Order be uploaded on the website of this Court *forthwith*.

MAY 28, 2025/bsr

AMIT SHARMA, J
Click here to check corrigendum, if any