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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 7280/2025 & CRL.M.A. 30557/2025,
CRL.M.A. 30558/2025

DEV NARAYAN PATELPetitioner

Through: Mr. Imran Khan, Advocate
(through VC).

versus

SUKUMAR SINGHRespondent

Through: Mr. Satish Kumar and Ms.
Sonia Chauhan,
Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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28.11.2025

1. The present petition is filed by the petitioner against the order dated 17.09.2025 ('**impugned order**'), passed by learned Trial Court in Ct. Cases 43886/2016, whereby the right of the petitioner to lead defence evidence was closed.
2. The learned Trial Court, by the impugned order, closed the petitioner's right to lead further defence evidence on account of non-appearance of the concerned witness on the said date.
3. Undisputably, the petitioner could have examined the witness on 17.09.2025. Thus, considering that not much time has elapsed since then, in the opinion of this Court, one last opportunity ought to be granted to the petitioner to lead defence evidence on duly compensating the respondent complainant for the delay and inconvenience.
4. The learned counsel for the petitioner, on instructions, undertakes that the witness (DW2) would be present before the



learned Trial Court on the next date of hearing and no adjournment will be taken.

5. The learned counsel for the respondent also submits that cross-examination, if any, will be conducted on the same date.

6. In view of the above, purely in the interest of justice, the present petition is allowed and the impugned order is set aside, subject to the petitioner paying a cost of ₹20,000/- to the respondent.

7. The learned Trial Court is directed to permit the petitioner to examine DW2 on the next date of hearing. The learned Trial Court is further directed not to grant any unwarranted adjournment to the petitioner for the said purpose.

8. Pending applications also stand disposed of.

AMIT MAHAJAN, J

NOVEMBER 28, 2025

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