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IN THE HIGH COURT OF DELHI AT NEW DELHI
CRL.M.C. 9269/2025, CRL.M.A. 38696/2025 &
CRL.M.A. 38697/2025

SUBODH PRASAD SINGH

.....Petitioner

Through: Mr. Vignaraj Pasayat,
Adv. (DHCLSC) with
Petitioner in person

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sunil Kumar Gautam,
APP for the State
SI Ashish Panwar, PS-
Ghazipur

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

24.12.2025

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1. The petitioner is aggrieved that his right to cross-examine the witnesses (that is, PW1, PW2 and PW3) was closed by order dated 23.12.2024, passed by the learned JMFC in Cr Cases 12184/2016. The petitioner is also aggrieved by the order dated 04.11.2025, in CR No. 236/2025, whereby the revision petition challenging the said order was dismissed due to delay of 126 days in filing the petition.
2. A bare perusal of order dated 23.12.2024 indicates that the examination-in-chief of the concerned witnesses was conducted on the said date and they were discharged *after* giving an opportunity for cross-examination.
3. Although it is stated that cross-examination on the concerned day could not be conducted due to unavailability of the main counsel for the petitioner, the record indicates that the petitioner has not been diligent and due to his conduct, significant delay has been caused. The evidence of PW1, who



was 82 years of age on that date. It also records that at the time of recording of evidence, the petitioner was not letting the prosecution ask questions despite being told to not interrupt the said witness.

4. In the opinion of this Court, the revision petition was also rightly dismissed after noting that the petitioner had been regularly attending Court proceedings and it did not appear that he was precluded from preferring a challenge to the order dated 23.12.2024 on account of medical reasons.

5. However, on being asked, it is stated that the matter is still at the stage of prosecution evidence. Pertinently, PW1 is the complainant/victim and PW2 as well as PW3 (daughters-in-law of PW1) are also the victims in the present case. Undoubtedly, if no opportunity is granted to the petitioner to cross-examine the concerned witnesses, grave prejudice will be caused to him.

6. In such circumstances, in the opinion of this Court, one more opportunity ought to be granted to the petitioner on the petitioner adequately compensating the witnesses for the inconvenience.

7. In view of the aforesaid discussion, the order dated 23.12.2024 and order dated 04.11.2025 are set aside, subject to payment of total compensation of ₹30,000/- (that is, (₹10,000/- to each witness) within a period of four weeks. Consequently, pursuant to payment of cost, the petitioner is permitted to cross-examine PW-1, PW-2 and PW-3 on any day that may be fixed by the learned Trial Court.

8. It is made clear that no unwarranted adjournments shall be granted and the cross-examination shall be concluded on the date that is so fixed by the learned Trial Court.

9. A copy of this order be communicated to the concerned



Trial Court for necessary compliance.

10. The present petition is allowed in the aforesaid terms.
Pending applications stand disposed of.

AMIT MAHAJAN, J

DECEMBER 24, 2025

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