

SC No. 3869/2019
State vs. Deepanshu @ Himanshu @ Shambhu & Ors.
FIR No. 279/2019
PS: Gandhi Nagar

06.04.2026

Present: Sh. Gaurav Pandey, Addl. PP for the State.
All the accused are on bail with Sh. Manjeet Singh,
advocate.

An application under Section 311 Cr.P.C. for recalling the IO PW-22 for cross examination on behalf of all accused persons filed. Copy given. Arguments heard on this application.

Counsel for accused stated that IO could not be cross examined by him on the date fixed as he was busy in High Court of Punjab and Haryana, Chandigarh and cross examination of this witness is necessary for fair decision of the case. Prosecution has no objection for allowing this application but stated that the witness who is retired IO should be paid the TA/DA at the expenses of the accused persons as he has to come from U.P. and only one last opportunity be given.

Counsel for accused persons agreed for the same and stated that he will take about 30 minutes to complete the cross examination.

In view of the above, this application is allowed subject to cost of Rs.2500/- (Rs.500/- each by every accused) to be paid by the accused persons to the IO on the date when he appears for cross examination. Application is disposed off.

It is clarified that only one and last opportunity is given for cross examination and in case, the counsel is unable to come due

to certain reasons, then substitute counsel should be made available to cross examine the witness and no adjournment on any ground will be granted.

Put up this matter on **13.05.2026** for cross examination of IO PW-22 Retired SI Beerpal Singh as last and final chance. The date is given as per choice and convenience of counsel for accused.

(Ashwani Kumar Sarpal)
Principal District & Sessions Judge
East District, KKD Delhi/06.04.2026