

31-07-2018

Present: IP-8 in person with counsel Sh. Joginder.
IP-6 with counsel Sh. Vikas Bhardwaj
Sh. R.S. Malik, counsel for IP-1.

The matter has been kept awaited since morning for appearance of IP-2 for the purpose of his cross-examination. None has appeared for IP-2. It is 2.12 PM now.

The evidence of IPs were closed on 11-7-18 and matter was fixed on 25-7-18 for final arguments when it was noted that IP-2 was although cross-examined on behalf of IP-6 but his cross-examination was deferred on behalf of IP-1 & 8. It was further noticed that IP-2 thereafter examined many other witnesses except himself and his cross-examination was not concluded. Noting the same, the Court fixed today's date for conclusion of examination of IP-2. None for IP-2 was present on last date of hearing also. Even prior to that on 11-7-18 there was no show on behalf of IP-2. It is 10 year old case. Id. Counsels submits that since IP-2 is not offering himself for cross-examination, his evidence may not be read.

In view of absence of IP-2 and particularly in view of the fact that his cross-examination could not be concluded, I have no option but to hold that statement of IP-2 in evidence will not be read.

Matter is now renotify for final arguments, on 17-8-18.

(NEERAJ GAUR)
ADJ-1(North)/Rohini
Delhi/31-07-2018