

Gurdeep Kaur v. Meharban Singh
Crl. Revision No.134/2020

05.10.2020

Present: Sh. S.K. Tewari, Advocate for the petitioner/revisionist/
accused, who is present physically before the Court.
None for the respondent.

Let this fresh criminal revision petition be checked and
registered.

ORDER

1. This is a fresh Criminal revision petition filed under Section 397/399/401 of the Code of Criminal Procedure, 1973, whereby the petitioner/revisionist/accused has assailed an order dated 21.09.2020 passed by the Court of Ms. Neha Pandey, Ld. MM (NI Act)-03, West, THC, Delhi, whereby an application of the petitioner/revisionist/accused under Section 311 Cr.P.C. for recalling of the complainant for his cross-examination was dismissed.

2. It is conceded that the application under Section 311 Cr.P.C. was filed at the stage when the matter for final arguments, has been lingering on for one reason or the other since 02.11.2019. A bare perusal of the impugned order dated 21.09.2020 would show that the petitioner/revisionist/accused was given ample opportunities to cross-examine the complainant on 04.03.2017, 27.05.2017, 22.12.2017, 24.08.2018 and 04.09.2018, and lastly on account of the failure on the part of the Counsel for the accused to appear, further opportunity was declined and cross-examination of the complainant was closed on 16.11.2018. The said order was never challenged, and thereafter the statement of the accused has been recorded on 02.03.2019.

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3. The aforesaid commentary speaks volume of the strategy adopted by the petitioner/revisionist/accused in not only delaying but also derailing the entire process of law. It is too simple and explain that the previous Counsel was at fault. It has become an unscrupulous practice at the Bar to blame the previous Counsel for all the adverse orders passed against a party. I, therefore, find no illegality, infirmity or incorrect approach adopted by the Id. MM. Hence, the present revision petition is dismissed.

4. A copy of this order be sent to the Ld. Trial Court for information and records. File of revision petition be consigned to Record Room.

(Dharmesh Sharma)

Principal District & Sessions Judge (West)
Delhi/05.10.2020