

25 MISC CRL 423/2020
M/s PRORICH AGRO FOODS Vs. RAJEEV
(Anand Vihar)

09.06.2023

Present: Ms. Aarti Gupta Ld. Counsel for the Complainant.
Complainant is absent.
Mr. Amit Tomar, Ld. Counsel for the accused.
Accused has joined the proceedings through VC.

Ld. Counsel for the Complainant submits that complainant could not appear before the court as he is out of station with his son. She further submits that cross-examination be conducted through VC.

Perusal of the file reveals that the matter is pending for cross-examination of the complainant since 29.08.2022 and since then on every date adjournment was being sought by Ld. Counsel for the Complainant on one pretext or the other.

Despite giving six opportunities to the complainant, he did not subject himself to cross-examination. Complainant did not even pay the cost of Rs. 15000 which was imposed on him for wasting the time of the court in compliance of section 309 Cr.P.C.

Perusal of the record reflects that no medical documents regarding the illness of the complainant was filed on behalf of him.

The conduct of the complainant is well reflected in the previous order sheets. It appears that complainant is not interested in pursuing the matter. Hence, the case is dismissed in default of appearance and non-prosecution of the case.

File be consigned to the Record Room.

(Isra Zaidi)
MM/Mahila Court-02
/SHD/KKD/Delhi
09.06.2023