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IN THE HIGH COURT OF DELHI AT NEW DELHI

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TEST.CAS. 59/2011

SHAILESH NIGAM & ORS

..... Petitioners

Through

Mr. Harshvardhan Pandey, Advocate

versus

STATE & ORS

..... Respondents

Through

Mr. D. P. Singh, Advocate for R-2
and R-3

Mr. Arshdeep Singh and Mr. Hitesh
Rai, Advocate for R-4

CORAM:

SH. RAJESH KUMAR SINGH (DHJS), JOINT REGISTRAR

ORDER

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29.08.2017

PW5: Mr. D. P. Singh and PW6: Ms. Leena Malik are present. PW5 is cross examined by learned counsel for respondent No.2 and 3 and by learned counsel for respondent No.4. During cross examination, learned counsel for respondent No. 2 and 3 has asked the witness regarding statement made by him to the IO of the criminal case regarding the name and address of the testator (referred to as the old person by the IO in his status report). Learned counsel for petitioner has objected on the ground that the witness cannot be asked this question in view of Section 162 Cr. P.C. The question whether the witness knew the name of the testator has arisen during the cross examination. The statement made by the witness to the IO in this regard is relevant and the same can be permitted in view of Section 145 of the Evidence Act. Question is allowed and the witness has



answered the same. Examination of PW5 is complete and he discharged. PW6 is partly cross examined by learned counsel for respondents No. 2 and 3.

Put up on 16th September, 2017 for further cross examination of PW6.

RAJESH KUMAR SINGH (DHJS)
JOINT REGISTRAR

AUGUST 29, 2017
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