

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 1392 OF 2019
(@ SLP (CRIMINAL) NO. 6502 OF 2019

P.N. RAMALINGAM .. Appellant (s)

Versus

STATE OF NCT OF DELHI & ANR. .. Respondent(s)

O R D E R

Leave granted.

This appeal is filed against an order dated 23rd April, 2019 passed by the High Court of Delhi by which the order passed by the trial court closing evidence was affirmed. The Appellant who is an accused in a complaint filed under Section 138 of the Negotiable Instruments Act, 1881, was negligent in not utilizing the opportunities given to him to cross examine the complainant. The evidence was closed on an earlier occasion and re-opened at the request of the appellant. Even thereafter, the Appellant did not utilize the opportunity of cross examining the complainant. We do not see anything wrong with the judgment of the High Court.

However, in the facts and circumstances of the case, we are of the opinion that another opportunity should be

given to the Appellant to cross examine the complainant subject to payment of cost of Rs.10,000/- to Respondent No.2. The trial Court is directed to permit the appellant to cross examine the complainant on 23rd September, 2019. The trial court is directed to complete the trial within a period of two months from today. No adjournments shall be granted for any reason whatsoever.

The appeal is disposed of accordingly.

.....J.
(L. NAGESWARA RAO)

.....J.
(HEMANT GUPTA)

New Delhi,
Dated:September 13, 2019

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s).6502/2019
(Arising out of impugned final judgment and order dated 23-04-
2019 in CRLMC No. 2124/2019 passed by the High Court Of Delhi At
New Delhi)

P.N. RAMALINGAM

Petitioner(s)

VERSUS

STATE OF NCT OF DELHI & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.108652/2019-EXEMPTION FROM
FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 13-09-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO
HON'BLE MR. JUSTICE HEMANT GUPTA

For Petitioner(s) Mr. S. Shekhar Naphade, Sr. Adv.
Mr. R. Sathish, AOR
Mr. E.C. Agrawal, Adv.
Ms. Anjali Dubey, Adv.

For Respondent(s) Mr. Mohan Prasad Gupta, Adv.
Mr. T.A. Khan, Adv.
Mr. Balram Das, Adv.

Mr. Gopal Sankarayanan, Sr. Adv.
Ms. Gayatri Verma, Adv.
Sanjeet Singh, Adv.
Mr. Nishant Kumar, Adv.
Ms. Anisha Upadhyay, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of in terms of the Signed Order.

Pending application(s) stand disposed of.

(GEETA AHUJA)
COURT MASTER (SH)

(SUNIL KUMAR RAJVANSHI)
BRANCH OFFICER

(The Signed Order is placed on the file)