

SC stays trial in Uber rape case

EXPRESS NEWS SERVICE
NEW DELHI, MARCH 10

THE Supreme Court on Tuesday stayed the trial proceedings in the case of rape of a 25-year-old woman allegedly by a Uber cab driver and agreed to examine an order to recall and examine afresh the complainant and 12 other witnesses.

A bench led by Justice JS Khehar suspended the Delhi High Court order that had permitted the accused driver to re-examine the victim and 12 other witnesses.

Admitting the appeal by the victim, the bench also issued notices to accused Shiv Kumar Yadav and the

Delhi Police, seeking their responses within two weeks.

"Issue notice to the respondents. The proceedings before the trial court shall remain stayed. The High Court order dated March 4 shall also remain stayed," ordered the court.

Senior advocate Colin Gonsalves, appearing for the victim, said the accused has wrongly been allowed to recall and re-examine witnesses and it will create further agony for the victim and, as a consequence, will delay the trial.

While the bench noted that a court was undoubtedly empowered to issue orders on recalling witnesses in the interest of a fair trial, it also agreed to examine

the validity of the High Court order and the reasons mentioned therein.

On March 4, the High Court had allowed the plea by Yadav to recall the victim, investigating officers as well as some doctors who had furnished medical reports in the case.

Yadav had complained that the case was proceeding at a hurried pace and that he was also not being duly represented by a counsel.

However, the appeal by the victim trashed his claims in the apex court, stating the High Court order would amount to a retrial on flimsy grounds, causing substantial injustice to the complainant.

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