

**SESSIONS CASE NO.38 OF 2009 & OTHERS**

**ORDER BELOW EXH.691.**

Heard Learned Special P.P. Mr. Mitesh Amin for the State. All the Learned advocates for the accused are present.

1. This application has been moved for the direction to return Mark-D to the investigating agency so as to enable the investigating agency to send it to the F.S.L. for necessary scientific examination for ascertaining the identity of the deceased who wore the case property shirt on the date of the occurrence.

2. All the Learned advocates for the defence state to have no objection for grant of the application.

3. Having perused the contentions and having heard Learned Special P.P., it appears just and proper to allow the application since the muddamal is a sealed one and that the said is required to be taken to the F.S.L. for further investigation to establish the identity of the deceased.

In view of the foregoing discussion, following final order is passed.

**ORDER**

(1) This application stands allowed on the conditions that the investigating agency shall

receive the muddamal Article No.D produced in Sessions Case No.95/2009 at Item/Article No.15 on 16/01/2013 in a sealed condition and the said shirt shall be handed over to the F.S.L. in the sealed condition by the investigating agency.

(2) The receipt of the F.S.L. shall be obtained by the investigating agency on the same date showing the receipt of the muddamal by the F.S.L.

(3) On completion of the scientific examination, after receiving the muddamal property from the F.S.L., the said would be directly handed over to the Court.

With the above direction, this application stands allowed and is accordingly disposed of.

Yadi of this order be sent to Nazir of the SIT Court and the investigating agency.

Dictated and pronounced in the open Court situated at Central Jail, Sabarmati, Ahmedabad on this 9th day of January, 2013.

**( Jyotsna Yagnik )  
Designated Judge,  
Court for conducting cases of  
of Serial Bomb-Blast,  
Ahmedabad.**

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