

**ORDERS ON APPLICATION U/SEC.91 OF Cr.P.C.**

The petitioner has filed this application U/Sec.91 of Cr.P.C. seeking call for the record in the custody of prosecution for adjudicating the matter with expeditiously and if this Court allowing this application no harm will be caused other side, if this Court will declined to allowing the great hardship will be caused to the petitioner. Hence, prays to allowing this application.

2. On the other hand, respondent has not resist application filed by petitioner.

3. Heard on application.

4. Now the points that arise for my consideration.

**1) Whether the application is maintainable and said document is required for the petitioner?**

**2) What order?**

5. My findings on the above points are as under:

**Point No.1 : In the Affirmative**

**Point No.2 : As per the final order for following:**

**-.REASONS:-**

6. **POINT NO.1:** The accused has filed this application seeking call for following documents in the custody of prosecution , the said documents as follows:  
CD. It is specific contention of accused that, accused is

entitle to all the documents and statements and CD produced by them for preparing himself for defending the accusation properly, it is no doubt that, the prosecution shall supply the copy of CD to the accused as contemplated U/s 207 of Cr.P.C, wherein the prosecution not supplied CD, which was sought by the accused, therefore, it is mandate to supply CD to the accused. **Hence, I hold point No.1 in affirmative.**

**8.Point No.2:-** In view of the reasons assigned above point No.1 and I proceed to pass the following:

**ORDER**

Application filed petitioner U/Sec.91 of Cr.P.C. is hereby allowed.

Accordingly, the prosecution is directed to supply the CD as sought by the accused.

The office id by directed to issue intimation to concern I.O to supply CD as sought for.

call on 06-01-2023

Prl.Civil Judge and JMFC.,  
Devanahalli.

