

KAUK020022912023



ORDERS

The learned Sr. APP has filed application under Section 91 of Cr.P.C.

2. The same is brought to the notice of the counsel for the accused, who has filed objections to the said application.

3. Heard both sides.

4. The learned Sr. APP filed application under Section 91 of Cr.P.C. has submitted that in the cross of trial CW-1 and CW-2 are examined as PW-2 and PW-1 and PW-2 in the cross of his evidence has deposed that the accused have restrained, abused, assaulted and threatened and are habitual and there are already case is registered against the accused, which he can produce and sought for production of four documents which are in the possession of the first informant.

5. The learned counsel for the accused on the hand has objected the application on the ground that the said C.C. NO. 12/2012 has been compromised before the Lok Adalat and another case bearing C.C.No.15/2022 and C.C.No.659/2021 are pending for trial before the Hon'ble District and Sessions Court and hence production of the said documents is only causing delay and they are not relevant to this case. Hence prayed to reject the application.

6. The learned Sr. APP has only sought for production of the case papers in C.C.No.12/2012 and C.C. No.659/2021 and S.C.No.15/2022 and Crime No.75/2020. Whether the said documents are relevant can be considered at the course of trial. The learned Sr. APP intends to produce the said documents in support of the case of the prosecution. Even if the said documents are permitted to be produced it will not cause any prejudice to the accused, since the filing and pendency of these cases cannot be disputed as per as the relevancy is concerned the accused has ample from to

cross examined the relative witnesses.
Hence there is no impediment to permit
Sr.APP to produce the said documents.
Hence on satisfaction , I proceed to pass
the following:

ORDER

Application filed by the learned Sr.
APP. under Section 91 of Cr.P.C. is
hereby allowed.

**Prl. Senior Civil Judge and
CJM Court, Karwar.**