

MHAU030067172025



R.C.C. No.790/2025
The State of Maharashtra Vs. Harshkumar and other
ORDER BELOW EXH.167.

Read application. Perused the record and say by Ld. APP. This is the application for directing bank i.e. Union Bank of India to supply account statement of account No.071012010001404 of accused No.2.

2. The Ld. Advocate for accused submitted that accused No.2 and 3 are husband and wife. They are in jail and for the defence and for the cross examination, Ld. Advocate needs their bank statement. But, due to they are not before bank, bank did not providing the statement to their Ld. Advocate. So, directing bank to supply the bank statement to their Ld. Advocate.

3. Ld. APP strongly objected and submitted that this cannot be done and accused to apply themselves and not with the help of Court to defence cannot be put up. Hence application may kindly be rejected.

4. Admittedly accused No.2 and 3 are in jail and the case trial in process. Charge against the accused are misappropriation and cheating of the funds. So, considering they are under trial prisoner, they are not in person present before the Bank to get bank statement. The LD. Advocate appointed by them to nothing but agent. So, it can

be very well supply to their Ld. Advocate. But, without issuing to bank, it cannot be provided. So, firstly it require to issue notice to bank. Then, further order will be pass. Hence, I proceed to pass the following order -

ORDER

Issue notice to Union Bank of India and bank to produce the account statement of accused No.2 and 3 namely Yashoda Shetty and Jivan Kariappa in Court.

Date : 18/11/2025

(R. S. Jambotkar)
Chief Judicial Magistrate,
Aurangabad.