

MHAU040001882016



ORDER BELOW EXH 39 IN SPL(ACB) CASE NO.01/2016

01] By this application, the Ld. A.P.P. prayed that the Assistant Superintendent may kindly be directed to verify and thereafter, certify that the voice transcription in the memory record and its transcript produced on record is one and the same. According to APP it is essential for just decision of the case on merits.

02] The advocate for the accused filed say by stating that the appropriate order kindly be passed.

03] Perused application and say. Heard argument of both sides. Perused record. It appears from the record that there is transcription recorded of the accused and informant with regard to the trap. It has been reduced into writing and filed along with charge sheet. Thus, according to Ld. APP the voice recording panchanama and the recording kept in the file of pen drive can be verified and certified from the Assistant Superintendent with regard to its correctness. The reliance was placed on the Rule 24 of the Criminal Manual wherein rules regarding tape recorder evidence in court are framed. In the said rule it is categorically stated that the court or such officer shall hear the tape record in order to verify whether the transcript produced along with the tape is correct or not and endorse such a verification on the

transcript record under his signature with date. Thus, considering above fact, it is convenient if the Assistant Superintendent of district court is directed to verify whether the transcript produced along with charge sheet is correct or not and endorsed such a verification on the transcript record under his signature with date. Hence, this court inclined to allow the application and pass the following order.

ORDER

- 1] The application is allowed.
- 2] The Assistant Superintendent, District Court, Vaijapur is hereby directed to verify the transcript record from the voice recorder memory card seized in Crime no.3004/2015, Spl. (ACB) Case no. 01/2016 as per rules framed in Rule 24 of the Criminal Manual or any other rule for the time being in force and submit report.

Date: 28.06.2024

(L. G. Pachche)
Special Judge (ACB)
Vaijapur, Dist-Aurangabad.

CERTIFICATE

I affirm that the contents of this PDF file order are same, word to word, as per the original order.

Name of the Stenographer:	Smt.H.I.Mulla Stenographer
Court	: Shri L.G.Pachchhe Special Judge (ACB) Vaijapur.
Date of order	: 28-06-2024
Order signed by the presiding officer on	: 28-06-2024
Order uploaded on	: 28-06-2024