



Sessions Case No. 57/2023
State -v- Surendra & ors.
MHGA130001432023

ORDER ON EXH.309
(Passed on 18.03.2026)

1. Perused the application. Heard accused Surendra at length. There was no audio video disturbance. This court was able to hear him properly. He submitted that there is no compliance of Section 226 of Code of the Code of Criminal Procedure and Section 15 of National Investigation Agency Act. He submitted that necessary direction be given to prosecution in that regard.

2. The case is fixed for order on discharge application filed by accused Surendra and accused Warawararao, so also framing charge against other accused persons. It is well settled that legality or admissibility of material collected in course of investigation cannot be gone into at the stage of framing of charge. At the time of framing of charge, the court has to see whether or not there is prima facie material. Assuming that there is no compliance of Section 226 Code of Criminal Procedure and Section 15 of NIA Act, that ipso facto would not invalidate the evidence collected in course of trial. Hence, application be rejected.

Aheri.
Dated – 18.03.2026.

(Rohan B. Rehpade)
Additional Sessions Judge,
Aheri.