



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

ORDER ON EXH. 273
(Passed on 05.03.2026)

1. This is an application under Section 207 of the Code of Criminal Procedure by accused Surendra.
2. Present application was filed by advocate of accused Surendra, namely, Shri N.T. Gwalvanshi. He did not turn up for hearing. Accused Surendra filed application (Exhibit No.286) requesting for grant of time to prepare for the case. The said application came to be rejected vide order 2.3.2026. In view of directions given by Hon'ble Apex Court in Criminal Appeal No.3742/2023 dated 21.1.2026, this Court is under obligation to conclude hearing on charge and discharge application within four weeks from inspection of record. Inspection of record and electronic evidence was concluded on 21.2.2026. Four weeks therefrom entire exercise of passing order on discharge application and hearing on framing of charge will have to be carried out. Under these circumstances, present application is being decided on merit.

3. It is contention of accused Surendra that in view of order passed by Hon'ble Apex Court, evidence collected in Spl. Case No.414/2020 is produced before this Court. However, copy or mirror image of record of electronic evidence is not provided to him. In absence thereof, it is not possible for him to inspect original electronic record as there is no mirror image. It is further his contention that he wanted to inspect hash value, meta data and time stamp and the same cannot be done by opening or accessing electronic record. He relied on decision of **Hon'ble Apex Court in Tarun Tyagi Vs. Central Bureau of Investigation (AIR 2017 Supreme Court 1136)**. He also relied on decision of **Hon'ble Apex Court in P. Gopalkrishnan @ Dileep Vs. State of Kerala and Another (AIR 2020 Supreme Court 1)**. He prayed that an accused has right to have mirror image of electronic devices. It is prayed that mirror image of electronic devices be supplied to him.
4. On behalf of the prosecution, reply (Exhibit No.274) is placed on record. It is submitted that all necessary documents have been given to accused Surendra. He had an opportunity to inspect original record, therefore, there is no substance in the application and the same is liable to be rejected.

5. It is worthwhile to mention that in the present case, directions have been given by Hon'ble Apex Court vide order dated 21.1.2026. Under those directions, record and electronic evidence of Spl. Case No.414/2020 was made available to accused Surendra. Under the said order, inspection of record was to be completed within three weeks from the date of inspection and after completion of inspection, after decision on framing on charge, record is required to be sent back to NIA Court Mumbai within four weeks. Inspection was concluded on 21.2.2026. Thus, within four weeks therefrom entire exercise of hearing on charge and decision on discharge application will have to be concluded. With this background, I decide present application.
6. It is not the case of accused Surendra that he had raised objection before learned Magistrate that he did not receive copy of documents filed with the charge sheet at the time of committal of the case. Moreover, endorsement on the charge sheet shows that his advocate has received copies of documents which ran into 789 pages. Moreover, in view of order passed by Hon'ble Apex Court referred above he had opportunity to inspect entire electronic evidence. It appears that hard copies of electronic evidence have been supplied to him

in the form of documents. Moreover, he also had opportunity to inspect original electronic record. So far as observations made by Hon'ble Apex Court in **Tarun Tyagi (cited supra)** are concerned, in that case, application for supply of copy was rejected by learned Magistrate. It appears that objection was raised before Magistrate regarding copies of documents have not been receive by the accused. No such objection was raised by accused Surendra in the present case. He has been given hard copies of electronic evidence. Additionally he had opportunity to inspect original electronic evidence. In **P. Gopalkrishnan (cited supra)** it appears that objection was raised before Magistrate and copy of electronic evidence was rejected on the ground of esteem, decency, chastity and reputation of the victim. In the present case, not only hard copies of electronic records have been supplied to accused Surendra but also he had opportunity to inspect to original electronic evidence. Another point is that accused Surendra has also filed application for discharge. Had all documents not been supplied to him, he would not have filed application for discharge or would have raised said issue at that time only. In these circumstances, I do not find any substance in the contention of accused Surendra that he is entitled

to mirror image of electronic devices. Resultantly, I pass following order.

ORDER

1) Application (Exhibit No.273) is rejected.

Aheri.
Dated – 05.03.2026.

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