

MHND010012912013



ORDER BELOW EXHIBIT 48/A IN Spl. ACB No.07/2013
State V/s Chandrakala & another

This application is filed by prosecution seeking permission for copying conversation recorded in the cassette in memory card and also sought permission for providing said memory card to the accused.

2. It is contended, at the time of verification of bribe demand and spot panchnama, conversation was recorded in the cassette, but now said tape recorder and cassette are not available in the market so, prosecution wants to copy said conversation of tape recorder in the new memory card by playing recorded conversation in the cassette. Hence, this application.

3. Accused no. 1 has filed say and denied contents of the application stating that, copying the cassette through recorder is not admissible and authenticated process, hence accused no. 1 has objection for doing such process. Again say filed on behalf of accused no. 1 stating that, accused is ready to take memory card in which conversation of cassette is copied.

4. Accused No. 2 filed say stating that, conversion of recording of tape recorder and making it's copy, is not the legal process.

5. I have heard both sides. Gone through record.

Admittedly, at the time of trap, the conversation between the accused and complainant recorded in the cassette of tape recorder. Now, both tape recorder and such type of cassetts are not available in the market. At present, in the trap cases memory card use for recording conversation. During the period of argument, both advocates of accused Nos. 1 and 2 have submitted, they have no objection to provide memory card in which conversation of the cassette is copied.

6. The matter is pertaining to year 2013 and as per provisions of Cr.P.C. it is mandatory to provide documents to the accused. Considering reason in the application and no objection of defence counsel, I inclined to allow this application and I pass following order -

ORDER

1. Application is allowed.
2. Permission granted to copy the conversation recorded in the cassette in the new memory card in presence of both accused, their respected advocates, public prosecutor and A.S. of the Court.
3. The prosecution is directed to provide said memory card to the accused on next date without fail.

(U. V. Indapure)

Date: 23/08/2023

Addl. Sessions Judge, Nanded.

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment/Order are same word to word, as per the original Order.	
Name of the Stenographer	: Smt. S. S. Korewar, Stenographer (Grade-3.)
Name of the Court	: Adhoc District Judge-1, & EOM of M.A.C.T., Nanded.
Date of the Judgment/Order	: 23/08/2023
Judgment/Order signed by the Presiding Officer on	: 23/08/2023
Judgment/Order uploaded on	: 25/08/2023