

**ORDER BELOW APPLICATION (EXH.12 ) IN  
SESSIONS CASE NO.533/2015**

Perused the application and reply. Heard both sides.

2. This application is filed by accused for inspection of incident spot as contemplated in Section 310 of the Code of Criminal Procedure. It is submitted that the inspection of incident spot will help Court to appreciate evidence. Further it is necessary to ascertain the quality of tiles and walls at incident spot.

3. I am of the considered opinion the the inspection of incident spot by Court is absolutely unnecessary and unwarranted.

4. The advocate of accused relied upon the judgment of Hon'ble Delhi High Court in case of *Ansal Theaters Vs. State, 2003 Cri.L.J. 4724*. I am of the considered opinion that the ratio of this judgment is not applicable to case in hand.

5. Furthermore no cogent and satisfactory ground is given for inspection of incident spot. Above all the accused can lead own independent evidence to prove any point of defence. As such I do see any merit in this application. Hence, following order is passed :

**ORDER**

Application Exh.12 is rejected.

Pune.  
Date : 17.03.2021

(V. P. Adone)  
Additional Sessions Judge,  
Pune.

### **CERTIFICATE**

I affirm that the contents of PDF file Judgment are same word for word as per original Judgment.

Name of Steno : Mrs.M.V. Patil (Stenographer G-I)

Court name : Shri. V.P. Adone  
Additional Sessions Judge, Pune.

Judgment/Order delivered on : 17.03.2021

Judgment/Order signed by P. O. : 17.03.2021

Judgment/Order uploaded on : 17.03.2021