

Order below Exh. 159 in Spl. MCOCA Case No. 921/2021

1. The informant has filed this application contending that the investigating officer has filed the report under Section 169 of Cr.P.C. against the accused No. 6, not through the Spl. Public Prosecutor and therefore, the say of the SPP is required to be called on the said report.

2. On the last date the SPP has advanced her formal submissions on the report under Section 169 of Cr.P.C. and she has shown the readiness to advance her detailed submissions, if she is called upon. It was for the informant who has to advance the arguments on behalf of the protest petition, therefore, this matter is fixed today for hearing the protest petition as per the detailed order passed on Exh. 157 and the date is fixed as per convenience of both parties. Although the I.O. has filed the report under Section 169 of Cr.P.C. not through the SPP but the SPP was fully aware of filing such report as she has received its copy and she is prepared to argue on the said report. Thus, it is for the informant to argue the protest petition. He cannot lay down a procedure for the court to be followed. Hence, the application stands rejected.

Date: 17/09/2025

(S.R. Salunkhe)
Spl. Judge (MCOCA), Pune.