

**Spl. Case (POCSO) No.124/2025
State Vs. Rajendra Gaikwad**

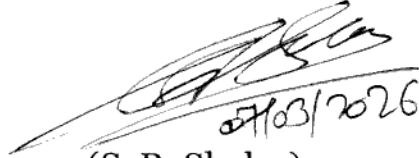
ORDER BELOW EXH.33

During the examination-in-chief of the victim she deposed that while reducing her FIR, the entire incident was videographed by the concerned police officer. The Ld. A.P.P. fairly conceded that it is for the first time that such videography has been mentioned by the victim. The Ld. Advocate for the victim submitted that he was aware of such videographed statement of the victim. The Ld. Adv. Shri. R. T. Deshmukh submitted that he cannot proceed with the cross-examination without the prosecution providing the said videographed statement of the victim. I find force in the submission of the Ld. Advocate for defence. It is a basic principle of criminal trial that all the material relied upon by the prosecution has to be provided to the defence before hand. The defence cannot be caught offguard by introduction of new evidence at the time of deposition of witnesses. It is to be noted that the victim has come to this Court for the fourth time and the matter is required to be adjourned only because of the not availability of the videographed statement of the victim mentioned hereinabove.

2] In view of the above, the matter stands adjourned for production of the videographed statement of the victim, if any, by the prosecution. It is necessary to issue notice to the investigating

officer, why action should not be taken against him for suppression of the videographed statement of the victim from this Court. Hence, issue notice to the concerned investigating officer.

Junnar, Pune
Dt. : 07/03/2026



07/03/2026

(S. B. Shelar)
Additional Sessions Judge, Junnar
Tal. Junnar, Dist. Pune.