

ORDER BELOW EXH.8

Read application & say filed. Present application is filed by the Ld. A.P.P. for the state U/s. 173(8) of Cr.P.C. for further investigation.

2. It is submitted that, informant has video of alleged incident. The said video is direct evidence & very crucial in the case. Said video is not seized by the police. Accused's mother namely, Devka Nadkar is not impleaded as an accused in the case. Therefore, further investigation is required.

3. Accused has filed say & opposed the application.

4. Heard Ld. APP & Advocate for the accused.

5. Perused FIR & Statement of eye witnesses & other witnesses recorded by the police.

6. On going through FIR, informant has not uttered single word about accused's mother & about the video of alleged incident, none of the witness stated about they have seen or know that accused's mother involved in the alleged incident.

7. Police has filed charge sheet, Charge has been framed against accused, case is pending for hearing.

8. If informant has video of alleged incident, why she has not informed to the police during the investigation & why police has not seized it. While registering FIR, no single word is uttered by the informant against the mother of accused & about said video of alleged incident. In such circumstances application is deserve to be reject. Hence, I pass following order.

ORDER

Application is rejected.

Sd/-

(M.S. Pathare)

Judicial Magistrate First Class,
Mangaon, Dist-Raigad.

Date:- 16.01.2025