



ORDER BELOW EXH.17 IN REG. CRI. CASE NO.87/2025

- 1) By virtue of this application, informant prayed to appoint her advocate so as to assist the Public Prosecutor.
- 2) Public prosecutor filed Say on the overleaf of present application and submitted to pass necessary order. Accused persons failed to file their Say. Hence, present application is proceeded without Say of accused persons.
- 3) Heard both sides.
- 4) As per section 338 of the BNSS, 2023, private person may assist the public prosecutor in conducting the trial under the instructions of public prosecutor. The Hon'ble Apex Court in the case of *Rekha Marurka vs State of West Bengal reported in (2020)2 SCC 474* held that,

"the victim's advocate has a limited right of assisting public prosecutor which may extend to suggesting questions to the court or prosecution, but not putting them by himself."
- 5) In the present case, informant is praying to appoint advocate Mr. Vithoba Patil to assist the prosecution. The said permission is granted to assist the prosecution subject to condition that, he shall only assist the public prosecutor but not by putting himself before the court. Application is disposed off accordingly.

Date : 12/03/2026
Shrivardhan.

(S. K.Shaikh)
Judicial Magistrate F.C.,
Shrivardhan.