

MHRT010010382019



IN THE COURT OF ADDL. SESSIONS JUDGE, RATNAGIRI.
(Presided by A. M. Ambalkar, Addl. Sessions Judge, Ratnagiri)

Sessions Case No. 68/2019.

The State Of Maharashtra

Prosecution

Vs.

Rushikesh Vijay Sangare & 3

Accused

ORDER BELOW EXH.282.

(Decided on 04.04.2024)

1. Perused the application and say. Heard learned APP Shri. P. S. Shetye and learned advocate Shri. Nene for accused. By this application, learned APP prayed to call bank manager of Axis Bank, branch Ratnagiri to prove statement of account of accused no.2 Sandeepkumar Yadav. It is submitted by learned APP that during investigation, it reveals that accused no.1 transferred Rs.35,000/- to accused no.2. The Investigating Officer collected the bank statement of accused no.2 to bring this fact. However, the Investigating Officer is not recorded statement of said Bank Manager and to prove the said fact. The evidence of Bank Manager of Axis Bank, branch Ratnagiri is essential.

2. Learned advocate for accused strongly resisted the application and by filing say, it is submitted that the prosecution is trying to protract the matter without any substantial reason. The matter is of the year 2019. The prosecution examined 19 witnesses. Still the prosecution could not complete the examination of witnesses. It is further submitted that on every day, some new application is filed by the learned APP. Finally, it is prayed to reject the application.

3. I have gone through record and proceeding of the case. Perused the statements of witnesses examined by the prosecution, it appears that in the present matter, it is alleged that the accused possessed arms without licence for committing offence and to purchase the said firearm, the accused no.2 gave money to accused no.1. It appears that the bank statement has been collected by the Investigating Officer and to prove the said statement of account, evidence of bank manager seems to be necessary. I am of opinion that the evidence of said bank manager to prove the said document is essential for just decision of the case. Hence, I proceed to pass following order.

ORDER

1. Application stands allowed.
2. Issue summons to witness.

Date:- 04.04.2024

(A. M. Ambalkar)
Addl. Sessions Judge, Ratnagiri.

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Case Number		Sessions Case No.68/2019 Order below Exh.282
Name of Stenographer	:-	Shri.Rajesh G. Rahate
Name of Court	:-	Addl. Sessions Judge, Ratnagiri.
Date of Dictation	:-	04.04.2024
Order signed by the P.O. on	:-	04.04.2024
Order uploaded on	:-	04.04.2024