

Order below Exh.115 in Sessions Case No.102/2019
(CNR NO.MHRT 010013002019)

Read application of accused and say filed by Ld. P.P. Mr. Phansekar for prosecution. Perused case record. Heard Ld. Adv. Mr. Nalawade for accused and Ld. P.P. Mr. Phansekar for prosecution.

2. This is the application filed by accused to grant production of document of GR of Revenue and Forest Department of State of Maharashtra bearing शासन परिपत्रक क्र.गौखनि १०/२००५/प्रक्र २४५/फ मंत्रालय मुंबई ४०० ०३२ दि.१७/१०/२००५. The accused has contended in their application that they want to produce शासन परिपत्रक क्र.गौखनि १०/२००५/प्र क्र २४५/फ मंत्रालय मुंबई ४०० ०३२ दि.१७/१०/२००५ in this case. So, the production of said document may be allowed.

3. Ld. P.P. has filed his say and resisted the application. He has contended in his say that the case is fixed for argument of parties. The accused have not shown the provision of law under which they have filed the application. The application is preferred by accused after closing evidence of both sides. So application may be rejected.

4. Ld. Adv. Mr. Nalawade has argued for accused that accused have questioned the informant on the said GR which they want to produce in this case during cross examination of informant. So, said GR is important in this case to decide the case on merit. So, he has prayed to grant the application and permit accused to produce said GR in this case.

5. Ld. P.P. Mr. Phansekar has argued for prosecution that the evidence of both sides is closed in this case and case is pending for final

argument. The accused have not shown the provision of law under which they sought production of said GR in this case. The accused cannot produce said copy of GR at belated stage. So, he has prayed to reject the application of accused.

6. The document sought to be produced by the accused is शासन परिपत्रक क्र.गौखनि १०/२००५/प्रक्र २४५/फ मंत्रालय मुंबई ४०००३२ दि.१७/१०/२००५. It is a public document. Moreover, the accused have cross-examined informant and asked questions to him in relation to the provisions of said GR. So, by seeking production of said document, the prosecution is not taken to surprise. The copy of GR of State Government is public document. The prosecution has not denied the genuineness of contents of said GR i.e.शासन परिपत्रक क्र.गौखनि १०/२००५/प्र क्र २४५/फ मंत्रालय मुंबई ४०० ०३२ दि.१७/१०/२००५. Considering these facts, the production of said document need not be refused only on the ground that accused sought production of it at belated stage. As the copy of GR ie शासन परिपत्रक क्र.गौखनि १०/२००५/प्र क्र २४५/फ मंत्रालय मुंबई ४०० ०३२ दि.१७/१०/२००५ is a public document, the production of it deserves to be allowed in the interest of justice. Hence, I pass following order.

ORDER

1. The application is allowed.
2. The production of document is allowed.

Date : 10/04/2026

(Samir G. Baokar)
Addl. Sessions Judge,
Ratnagiri.

CERTIFICATE

I affirm that the contents of this pdf file order are same words as per original order.

Name of Stenographer : A.A. Shivalkar
Court Name : Addl. Sessions Judge,
Ratnagiri.
Date of Order : 10/04/2026
Order Signed by P.O. on : 10/04/2026
Order Digitally Signed by
P.O. on : 10/04/2026
Order uploaded on : 10/04/2026