

ORDER BELOW EXH.NO.32 IN SESSIONS CASE NO.228/2024
(State of Maharashtra Vs. Uttam Mahadev Chougule)
(CNR - MHSN170008692020)

1. This is an application filed by Ld. Counsel Shri. G.D. Tapkire representing the accused for not considering incriminating portion in evidence of PW-1 Sudhakar Hariba Kengar. Perused application and say given by Ld. APP. Heard both sides.

2. Considering contents in the application and evidence of PW-1 Sudhakar Hariba Kengar (Exh.18), it appears that disclosure statement made by accused Uttam Mahadev Chougule led to the spot where the incident had allegedly occurred and weapon used for commission of offence was allegedly kept. As contents in disclosure statement of accused Uttam came to be recorded in evidence of PW-1 Sudhakar, the same cannot be read in evidence in view of observations of Hon'ble Supreme Court in para 16 in the case of **Randeep Singh @ Rana & Anr. vs. State of Haryana and Ors., Criminal Appeal No.297/2024 decided by Hon'ble Supreme Court as per judgment dated 22.11.2024**. For this reason, present application deserves to be allowed. Hence, I pass the following order :-

: O R D E R :

1. Application Exh.32 is allowed.
2. Incriminating portion in para 1 and 2 of evidence of PW-1 Sudhakar Hariba Kengar (Exh.18)

forming part of disclosure statement of accused Uttam Mahadev Chougule as referred in the application Exh.32 shall not be read in evidence and it shall not be treated as confessional statement of accused Uttam Mahadev Chougule.

3. Application Exh.32 is disposed of accordingly.

Vita
dt.07.11.2025

(R.R. Bhagwat)
Addl. Sessions Judge,Vita

CERTIFICATE

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

Name of Stenographer	: H.G. Sutar (Steno Grade-I)
Court	: DJ-1 & Addl. Sessions Judge, Vita.
Date of order	: 07.11.2025
Signed by Presiding officer on	: 07.11.2025
Uploaded on	: 07.11.2025