

ORDER BELOW EXH. 212 IN SESSIONS CASE NO.3/2024
(State of Maharashtra Vs. Ramchandra D.Ghuge etc.,)
(MHSN170000692020)

01. This application is filed by accused Nos.2 to 5 and 7 directing prosecution to produce document mentioned in it.

02. Ld.Adv.Shri Ajinkya Jadhav for accused Nos.2 to 5 and 7 submitted that crime was registered on the basis of complaint lodged by wife of first informant namely; Anita Vijay Patil. The investigation was conducted by Investigating Officer Shri Pingale but his legal report is not annexed with the charge-sheet. Prosecution also not produced on record investigation papers pertaining to investigation carried out in the year 2003-2004. He submitted that 25 Investigating Officers conducted investigation of crime but documents pertaining to investigation conducted by them are not on record. Crime Branch report is not annexed with the charge-sheet. However, its reference is there in statement of certain witnesses. So prosecution be directed to produce those documents on record.

02. Whereas Ld.AGP Shri R.S.Jamadar for State submitted that all the documents relevant at the time of lodging FIR are produced on record. Accused are seeking production of documents with respect to year 2003-2004 which are relating to crime registered against first informant of the present crime under section 302 of IPC. The investigation of the said crime for the offence under section 302 of IPC was conducted by some of the police officers who are accused of present crime. So documents could be in their custody. So application be rejected.

03. When case is instituted on the basis of police report,

then in that case Court shall without delay supply to the accused copies of police report, FIR, statements recorded by IO under section 161 of Cr.PC, confession and other documents forwarded to Court.

04. While going through the present application therein it is alleged that prosecution has not produced on record legal report of IO Shri Pingale, documents pertaining to investigation conducted in the year 2003-2004, documents with respect to investigation carried out by 25 Investigating Officers and Crime Branch Report.

05. It is vaguely mentioned in the application that prosecution has not produced legal report and other above mentioned documents. However, details thereof have not been given in the application.

06. Moreover, prosecution is not relying upon the documents mentioned by accused persons. Application is filed only to protract the matter. Hence, following order is passed.

ORDER

1) Application is rejected.

Vita

Date: 06-03-2024.

(D.Y.GAUD)

Addl.Sessions Judge,Vita.

CERTIFICATE

I affirm that, the contents of this PDF File Order are same, word to word, as per the original order.

Name of Stenographer	S.VAgnihotri, Stenographer Grade - I
Name of Court	District Judge-1 & Addl Sessions Judge,Vita
Date of Order	06.03.2024
Judgment / order signed by the Presiding Officer	06.03.2024

Order uploaded on	07.03.2024
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