

Special (ACB) Case No. 198 of 2021

(CNR – MHST01-002315-2021)

(The State of Maharashtra Vs. Sanchit Krushna Dhumal)

ORDER BELOW EXH.34

(Delivered on 03rd July, 2023)

1] This is an application moved by accused under Section 91 r/w. 207 of the Code of Criminal Procedure, 1973 to produce the Hard disc NVR which is at Satara Municipal Council, Satara. It appears that the ACB has collected its material. The accused has moved his application under Section 91 along with Section 207 of Cr.P.C.

2] AGP for State of Maharashtra submitted that the collected material is sent to Forensic Laboratory and therefore until the report is received, the compliance of Section 207 of Cr.P.C. cannot be complied.

3] Today the AGP for State is absent

4] The learned Counsel for accused is submitted that for the preparation of defence, for confronting the prosecution witnesses Hard disc is necessary.

5] It appears that the Investigating agency has already collected the data of hard disc and it is sent to Forensic Laboratory, Pune however as per Exh. 38, the Satara Municipal Council has filed reply that they have preserved the ACB portable disc with their office. It also appears that the Satara

Municipal Council is ready to file it on record.

6] The Investigating agency might have collected the data of Hard disc but the other details regarding the hash value and preparation of process is not found except the compliance under Information Technology Act. The Hard disc which is an original and it is a primary evidence and as the accused himself wants to bring on record as discussed above therefore in the interest of justice it is necessary to direct to the Chief Officer, Satara Municipal Council, Satara to produce the original USB Hard disc sealed by the signature and seal of the Satara Municipal Council, Satara. At the relevant stage of the trial, the hard disc and its evidential value will be decided on merit. Issue letter to the Chief Officer, Satara Municipal Council, Satara to produce the Hard disc.

Satara
Date : 03rd July, 2023

(Sanjay R. Salkute)
Special (ACB) Judge Satara.