

CNR: MHST190011732023



Order below Exh.121 in Sessions Case No. 63 of 2023

(State of Maharashtra Vs. Punam Ashok Kamble)

(Passed on : 19.12.2025)

1] Instant application **Exh.121** has been filed by prosecution for grant of permission to produce the report received from Laboratory, Pune along-with muddemal, which are packed in closed envelope, inter-alia contending that alleged incident has been captured by way of CCTV footage and in that regard, related memory card and other material which appears to have been taken in Pen-drive and they were sent to the Laboratory, Pune for chemical analysis purpose. In that regard, memory card appears to have been seized on 13.06.2016 and to that effect, seizure panchnama was executed in presence of panchas. That material is available on record. In such circumstance, present application has been moved for production of these material, as described above. Lastly, it is implored for being allowed application Exh.121.

2] Learned Counsel of accused has strongly opposed said application by raising objection that prosecution wanted to fill-up the lacuna after lapse of 10 years period. In such circumstances, if production is allowed, then accused will be prejudiced. There is no legal ground to allow the application. Lastly, it is requested to reject the application Exh.121.

3] I have heard both the parties and perused record. According to prosecution, alleged incident has been captured and to that effect

material appears to have been available in the form of CCTV footage and related memory card was seized in presence of panchas on 13.06.2016. Thereafter, as per their submission, such material of CCTV footage appears to have been sent to the Laboratory, Pune for chemical analysis purpose. Now, report of Laboratory has been received by prosecution along with muddemal. Therefore, prosecution wanted to produce them on the record. From this, it is clear that prosecution is not producing new material on the record. Long back, seized material appears to have been sent to the Laboratory for analysis purpose. In such circumstances, it is manifest that seizure of material as per panchanama dated 13.06.2016 is within the knowledge of accused. Therefore, there is no reason of causing prejudice to the accused. When prosecution is submitting that alleged incident has been captured by way of CCTV footage and in such circumstances, production of document and muddemal, which are mentioned in application Exh.121, is allowed, then it would be helpful for deciding the controversy. Apart from this, accused will get the opportunity to cross-examine relevant witness. As such, there is no legal ground to reject the application Exh.121. In other words, application Exh.121 is liable to be allowed. In the result, following order is passed.

ORDER

- 1) Application (Exh.121) is allowed. Production of closed envelope in which, intended material are lying, is allowed.
- 2) The document and other material which are being produced on record, their copies shall be provided to the accused.
- 3) Copy of electronic material shall be prepared in the presence of both the parties with the help of expert

produced from the side of prosecution and in presence of computer expert/employee of this Court and in presence of Superintendent. Report in that regard shall be prepared by obtaining signatures of all related persons on it. That report shall be produced on record, after compliance of it.

Wai
Date: 19.12.2025

(R.N.Mehare)
Additional Sessions Judge, Wai.