

IN THE COURT OF SESSIONS JUDGE, WASHIM.

Order Below Exh. 32

(Dated 22/05/2025)

- 1) The present application preferred by the investigating officer (IO) for permission to produce copies of CDR & SDR and to treat the said documents as part and parcel of the charge-sheet on the ground that the said copies of CDR & SDR received at belated stage.
- 2) The accused objected the application on the count that filing of such application is against criminal administration policy and IO has no authority to adduce the said documents at this stage.
- 3) Heard APP Mr. A. R. Vyawahare for the prosecution, Adv. S. V. Dighole for original informant and Adv. Mr. M. S. Gawai along-with Adv. G. T. Kamble for the accused at length.
- 4) On perusal of application, say of the accused and complainant and after considering oral submissions of all three advocates, the following points arise for the consideration of the Court, on which the Court answered thereon with the reasons as follows.

Sr. No.	Points	Findings
1)	Whether the prosecution proves the case for permission to produce the copies of CDR & SDR in the present case on the ground that same are received by the prosecution at belated stage ?	In the affirmative.
2)	What order ?	As per final order.

REASONS

As to Point No. 1 -

- 5) The prosecution came with the case that the police received copies of CDR & SDR at belated stage due to which could not produce along-with charge-sheet and permission for production of those copies on the record is required for just decision.
- 6) On perusal of the application, it is observed that the IO requested for getting copies of CDR & SDR on 08/01/2023 vide letter OW No. 423/2023 and 424/2023. The proposed documents to be produced I.e copies of CDR & SDR does not covers when the said documents received by the IO.
- 7) It is further observed that the original complainant filed application for further investigation under Section 173(8) of Cr.P.C. which is at Exh. 24. In the said application, reference of CDR & SDR of accused and victim also reflected. Similarly, it is not the case of accused that the copies of CDR & SDR demanded and collected after filing of application by the informant for further investigation which is at Exh. 24.
- 8) As the accused has right to challenge relevancy of CDR & SDR at proper time, no prejudice will cause to the accused. So that, the prosecution succeeded to prove the case for permission to file copies of CDR & SDR on the record. So that, the Court hereby conclude that the prosecution proves the case for permission to produce the copies of CDR & SDR of victim and accused on the record and hence, **the Court answered point No. 1 in the affirmative.**

As to Point No. 2 -

9) As the Court concluded that the prosecution proved the case for permission to produce the copies of CDR & SDR in the present case on the ground that same are received by the prosecution at belated stage, then the application deserves for grant, in the interest of justice. Hence, the order -

ORDER

- 1) The application at Exh. 32 of the prosecution (IO) for permission to produce copies of CDR & SDR on the record is hereby allowed.
- 2) The copies of CDR & SDR attached along-with the present application be taken on record by complying due compliance.
- 3) Accordingly, the application stands disposed of.

Washim.
Date: 22/05/2025.

(S. V. Hande)
Sessions Judge, Washim.

CERTIFICATE

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

Name of Stenographer :- A. W. Ajmire, Stenographer (Grade-II)

Name of Court :- Principal District & Sessions Judge,
Washim, Tq. Dist. Washim.

Date of Judgment/ Order :- 22/05/2025

Judgment/Order signed by :- 23/05/2025
the Presiding Officer on

Judgment/Order uploaded on :- 23/05/2025