

Order below Exh. 39

- 1 Perused the record. Heard learned counsel for both parties.
- 2 According to the accused the prosecution has filed cassette about conversation in between the accused and original informant, but the copy of said cassette has not been supplied to the accused.
- 3 The learned A.P.P. oppose this application on the reason that prosecution has supplied the script of conversation recorded in the said cassette.
- 4 It is settled principle of law that the cassette, chips etc. are documents under electronic form. Prosecution has relied on the said cassette, therefore, it was obligatory for the prosecution to furnish the copy of cassette to the accused person, so that they would get proper opportunity for their defence. Hence, following order.

Order

- 1 The application is hereby allowed.
- 2 The prosecution is hereby directed to furnish two copies of cassette having alleged conversation before the Court for accused no. 1 and 2.
- 3 In case prosecution failed to furnish the copies of cassette then prosecution will be restrained to use the said cassette against the accused persons.

Dt. 07.04.2017.

(K. K. Gour)
Addl. Sessions Judge, Washim.