



ORDER BELOW EXH.08

In R.C.C. No. 1686/2026

State of Maharashtra Vs. Vilas Bhimaro Chandel

(Crime No.0551/2025, Police Station Wadi, Nagpur)

01. This is an application filed by the learned Assistant Public Prosecutor (APP) for the State, praying that necessary directions be issued to the Police Inspector, Police Station Wadi, Nagpur, for expeditious production before this Court of the muddemal property, including the electronic device and the mobile phone allegedly used by the accused in the commission of the offence of cheating.

02. It is submitted that despite the matter being at the stage of trial/further proceedings, the muddemal articles referred to above have not been produced before this Court. On enquiry, it is stated by the Investigating Officer that the said articles were sent for forensic examination to the concerned Forensic Laboratory, and that they continue to remain with the said Laboratory. However, nothing has been placed on record to show what follow-up steps, if any, have been taken by the Investigating Agency to expedite the examination or to secure the return of the said articles for production before the Court.

03. Heard the learned APP.

04. It is a matter of serious concern that muddemal property of such vital evidentiary value, being the very electronic device and mobile phone alleged to be the instruments of the offence, are not produce on record,

without any satisfactory explanation from the Investigating Officer as to the steps taken to expedite the forensic examination report or to trace and secure the said articles.

05. It is pertinent to note that this Court is a Special Court constituted for trial of offences under the Public Examinations (Prevention of Unfair Means) Act, 2024, and connected enactments, and is required to dispose of the cases before it in a time-bound manner. The very purpose of constitution of such Special Court would stand defeated if the Investigating Officer/Police Station In-charge itself fails to act in securing the muddemal property in question.

06. Investigation and trial of criminal cases before this Special Court cannot be permitted to be stalled or delayed on account of sheer inaction, casualness or laxity on the part of the Investigating Officer/Police Station In-charge. Sending an article for forensic examination does not discharge the Investigating Officer/Police Station In-charge of the continuing duty to follow up diligently, to ascertain the status of examination from time to time, and to ensure the safe custody and timely production of such property before the Court. The custody and production of muddemal property is not a mere formality but a matter directly bearing on the fair and expeditious, time-bound trial of the case.

07. In the facts and circumstances stated above, the following directions are issued:

- i. The Police Station In-charge, Police Station Wadi, Nagpur, is directed to personally look into the matter without further delay and take immediate and effective steps to secure production of the muddemal property, from the Forensic Science Laboratory concerned, within a period of two weeks from the date of this order.

- ii. The Police Station In-charge/Investigating Officer shall file a written report before this Court, on or before the next date fixed, specifically stating therein (a) the date on which the said articles were sent for forensic examination, (b) the present status/stage of the forensic examination, and (c) the follow-up steps, if any, taken till date to expedite the same.
 - iii. In the event the muddemal articles are not produced within the period specified above, the Police Station In-charge, Police Station Wadi, Nagpur, shall remain personally present before this Court on the next date to explain the reasons for such non-compliance.
 - iv. A copy of this order be forwarded forthwith to the Police Inspector, Police Station Wadi, Nagpur, and to the CP, Nagpur/SP (Rural), for information and immediate compliance, with a further direction that accountability be fixed in the event of continued default.
- 08.** This Court records its strong displeasure and disapproval of the casual and lackadaisical manner in which the Investigating Officer/Police Station In-charge has dealt with the custody and production of such vital muddemal property, despite this being a case before a Special Court obligated to ensure time-bound disposal. The Investigating Officer/Police Station In-charge shall note that any further default in compliance with the directions contained herein shall be viewed seriously, and appropriate action, including reference to the superior police authorities, will be recommended.

Date : 14/08/2026
Nagpur

(G. R. Kolte)
7th Jt. CJSD & ACJM,
Nagpur.