

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1) No(s).4903/2013

(From the judgement and order dated 13/03/2013 in MCRLC No. 1758/2013 of The HIGH COURT OF M.P AT GWALIOR)

UDAL LALE

Petitioner(s)

VERSUS

STATE OF M.P. & ORS.

Respondent(s)

(With application for ex-parte stay and exemption from filing Official Translation)

Date: 08/07/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. PATNAIK

HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s) Mr. Madhukar Rao, Sr. Adv.
Ms. Minakshi Vij, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

We are not inclined to interfere with the impugned order passed by the High Court directing that the documents mentioned under clause (v) of Section 207 Cr.P.C. may not be furnished to the accused persons but the accused will be allowed to inspect them personally or through their Pleader in the Court in accordance with the second proviso to Section 207 Cr.P.C.

The second proviso to Section 207 Cr.P.C. provides that if the Magistrate is satisfied that any document referred to in Clause (v) is voluminous, he shall instead of furnishing the accused with the copy thereof direct that he will be allowed to inspect either personally or through pleader in Court.

We find on a perusal of paragraph 6 of the affidavit that was filed on behalf of the prosecution before the Magistrate that it had taken a stand that the challan papers were extremely voluminous.

We dispose of this Special Leave Petition with the direction that the Magistrate will apply his mind to the challan papers and if he is satisfied in terms of the second proviso of Section 207 Cr.P.C. that some of the documents are so voluminous as cannot be furnished to the accused persons he will pass orders accordingly, otherwise he will direct furnishing of all the documents.

[KALYANI GUPTA]
COURT MASTER

| | [SHARDA KAPOOR]
| | COURT MASTER