

Learned counsel for the petitioner has drawn our attention to page 86 to contend that P.W. 5, who came from the Reserve Bank has acknowledged in his cross examination that his deposition is based on his earlier report and the counterfeit notes have not been produced in Court. He submits that it was thus failure to discharge the burden by the prosecution by reference to judgments of this Court in the case of Jitendra & Anr. vs. State of Madhya Pradesh (2004 (10) SCC 562 and Vijay Jain vs. State of Madhya Pradesh (2013) 14 SCC 527, on account of failure to produce the counterfeit notes (drugs in those cases).

He further submits that other than the deposition of P.W. 5 and the IO, P.W. 8 all other witnesses have turned hostile.

Issue notice returnable in four weeks.

A copy of the order to accompany notice.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)